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OF

Politics and General Literature.

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SUMMARY OF NEWS.

Politics of Europe.

An Extra Report on Saturday Evening, announced the Arrival of the H. C. Ship COLDSTREAM, Captain Stephens, from London the 16th of July, and the Cape the 17th of October. At the time of our Paper going to Press on Saturday night, no List of Passengers or public intelligence had been received. We therefore occupy our present Sheets as originally intended, and should any thing transpire of sufficient interest to demand an Extra, we shall not fail to issue one for the information of our Readers.

London, June 24, 1822.—On Saturday, at 2 o'clock, his Majesty held a Court at his Palace in Pall-mall, which was attended by.

The Lord Chancellor, the Lord Privy Seal, the Secretary of State for the Home Department, the first Lord of the Admiralty, the Master-General of the Ordnance, the Chancellor of the Exchequer, the President of the Board of Control, the Master of the Mint, the Lord Chief Justice of the Court of King's Bench, the Lord Chamberlain, the Master of the Horse, the Groom of the Stole, the Comptroller of the Household, &c.

His Majesty held a Privy Council, at which Mr. Buller attended as clerk. The council sat but a short time.

His Majesty gave audiences to the Earl of Harrowby, the Lord Chancellor, Mr. Peel, and Lord Maryborough.

Lord St. Helens and Sir Wm. Keppel were the Lord and Groom in Waiting. The Court broke up soon after four o'clock.

Police of the Metropolis.—The Report of the Select Committee of the House of Commons appointed to inquire into the state of the police of the metropolis has been printed. Among other suggestions it recommends that the Secretary of State be authorized to sanction an additional payment of any officer who may be severely wounded in the performance of his duty, and to grant a retiring allowance when any officer may be completely disabled by bodily injury, or worn out by length of service; and also to attach to each office one head-constable, at a salary of three guineas per week without emoluments: such officer to be selected from the most deserving of those at present employed. With respect to fairs held in London and its vicinity, and the practice of bullock hunting, it proposes to empower any two magistrates, who shall have reason to think a fair entirely illegal, or continued beyond its legal duration, to summon the owner or occupier of the ground whereon it is held, to appear at a petty session of the magistrates of the division, and show his title to hold such fair; and in case he shall not satisfy them, they shall be enabled to declare such fair illegal, and require the peace-officers to remove all articles from the ground, and take all persons in custody concerned therein who still continue such fair after notice given of its illegality. On the subject of bullock-hunting, the committee recommend that the penalty, now 20*s.* be increased to 40*s.* for a first offence, and 5*l.* for a second offence.

Reduction of Discounts by the Bank.—A Sunday Paper on the subject of the reduction of discounts by the Bank, says—"By the bankers, and other capitalists who make a direct traffic of money, the measure appears to be viewed with some degree of apprehension. A meeting of the principal bankers took place on Friday, not expressly for that purpose, but in which the question was incidentally started, whether it would not be expedient for the bankers also, in the advances to those who keep accounts with them, to reduce the rate of interest. The majority, we understand, were opposed to this concession, particularly as it was found, on inquiring for precedents, that in the year 1773, when the Bank discounted at four per cent. private bankers still continued to charge five per cent. on their advances. The meeting, however, as we are informed, separated without coming to any decision, and without fixing any period for further discussion. The reduction of discounts by the Bank has already produced a rise in the value of land, and of leasehold property. This was perceptible in the sales at the Auction-mart on Friday; and we understand that some of the auctioneers have, in consequence, received instructions to delay the disposal of much of that species of property intended for public auction."

West India Station.—Saturday morning the TRIBUNE frigate, Capt. N. I. Willoughby, C. B. arrived from the West India station, to be paid off, having been nearly four years in commission. She lost about 60 men and officers in the West Indies by fever. Lieut. Murray, Mr. Dunlop, surgeon, two assistant surgeons, the Rev. J. Luby, chaplain, the gunner and carpenter, died on the Spanish Main; 24 men and officers only having escaped the contagion of fever out of the whole of the crew. She sailed from Jamaica 22d April, and from Havannah 13th May, and has brought a freight of 600,000 dollars and 200 bales of cochineal, for merchants. We learn by the TRIBUNE, that the Spanish Royalist troops still maintain themselves in garrison, in the isolated citadel of Vera Cruz, which fort comprises all that Old Spain now holds of what she once proudly called "The Indies." The remainder of the Royalist troops have concentrated at the Havannah, in which city and its dependencies several thousand European soldiers are in arms; notwithstanding which force, a daily rising of the Blacks was expected; indeed, recently, three large estates had revolted against their masters, and secretly small bodies of troops were marched into the interior, with a view of pursuing the run-away negroes, the Spanish authorities not being willing openly to acknowledge the danger. It was uncertain what power would be invoked to protect the island of Cuba in case of a revolution, the Americans and the English were equally certain their assistance would be required. The island of Cuba had been very healthy; but Jamaica had been sickly during the winter; the 33d Regiment suffered much immediately on its arrival from England.—*Hampshire Telegraph.*

Havannah.—By the TRIBUNE frigate, letters dated the 10th of May, have been received from Havannah. An order had been issued by Gen. Davila, who commands the remnant of the Royalists in the Castle of St. Juan de Ulloa, prohibiting to all foreign merchant vessels entrance to the harbour of Vera Cruz. As the castle completely commands the harbour, the General can ensure the fulfilment of his own order. It is supposed to have originated at Madrid, and that it will not be withdrawn without new orders from the Spanish Government. This will, however, only compel the foreign traders to seek entry at the port of Tampico, which may be effected without molestation. The trade with Mexico is, however, described at present as by no means lucrative. The same vessel has also brought letters from Jamaica, which are dated only in the latter end of April, the

TRIBUNE having touched last at Havannah. Still, owing to the delay of the packet, they are the latest dates that have reached us from that island. The only news they bring is a corroboration of the report that Lord Cochrane had been joined by three Spanish frigates in the Pacific, which, in conjunction with the other ships of his squadron, had assisted to transport a large body of troops from Panama to Esmeraldas, a port in the Pacific, for the purpose of intercepting General Murgeon in his retreat from Quito. The voluntary junction of the Spanish frigates, however, appears so extraordinary, that we ought still to wait for further confirmation before it is wholly credited.

Rio Janeiro.—By the brig HORNBY, which touched at Falmouth on her way to Hamburgh, advices have been received from Rio Janeiro, dated April 6. By them it appears that the Prince Regent had set out on an excursion to the province of Minas Geraes. This journey, no doubt, has a political object, and we were before aware that it was in agitation. The province of Minas is one of the most populous and rich in the Brazils, and it is of the greatest importance to the views at present entertained in the capital, that it should coalesce and make common cause with the rest, which hitherto it has evinced no disposition to do. The novelty of one of the Royal Family going to such a distance in the interior, and the influence he would carry with him, were expected to produce some change in the minds of the inhabitants.

Jersey.—We are happy to state, that his Majesty's sloop FLY, Captain George Tyler, has returned from Jersey, whither she was sent to make an amicable settlement of a dispute which had arisen between the French and English oyster fishermen, as to the right of the English boats to fish on the banks stretching from Cape Rozel to the rocks called the Minquais, between one and three leagues from the French coast, which oyster beds they discovered in 1797. The right has been admitted, by which the fishery will again become open for the supply of our markets in September next. During four months of the year these fisheries occupy 300 fishing smacks and nearly 2,000 British seamen. —*Hampshire Telegraph.*

Mr. Mathews.—Mr. Mathews took leave of his audience on Saturday evening, with the following address:—

"Ladies and Gentlemen,—My task of the evening being finished, it now only remains for me to bid you farewell. This is the last time, for many months to come, that I shall have the honour and pleasure of appearing before you. I would fain make you merry at parting, but I feel it impossible to leave such kind friends, even for a time, without a sensation *here* that prohibits an attempt at a mirthful leave-taking. That I may not, therefore, throw the same cloud over you which at this moment overshadows *me*, I will merely entreat that you will not forget me in my absence, and I believe that, though the Atlantic must part us, it is utterly impossible that I can ever forget how deeply I am indebted to your flattering and unwearied patronage. I trust to been abled to bring back a new budget for your amusement; and all my powers of observation shall be roused to their utmost, to collect such materials in my travels as shall prove that I have not absented myself from your smiles in vain."

Argyll-rooms,—Miss Paton's concert took place at these rooms on Friday night, and was well attended. In the course of the evening, she sang several airs in a manner which evinced considerable improvement of late. Her execution has become more perfect, and her voice seems to have acquired additional flexibility and richness. These advantages were very perceptible when she was executing Italian music; but it is in that of her native country that she excels. The style in which she gave M'Neil's ballad "Mary of Castle Cary" was the very finest and most spirited that could be imagined, and its effect upon the audience was such as to call forth an enthusiastic encore. A trio by her and her two younger sisters, one of them quite a child, was also encored; as was her duet with Mrs. Salmon, "Su l'Aria." Mr. Braham's and Mrs. Salmon's delightful singing received the applause it merited; and Miss M. Tree's song, "Bid me discourse," was encored. The other performers also contributed materially to the evening's entertainment. Lady Anne Hamilton and Mr. William Austin occupied a box at the end of the room.

The Licensing System.—There is an old established tavern, hitherto we believe of very good repute, called "The Army and Navy Coffee-house," near the bottom of St. Martin's-lane, which a short time ago was shut up, in consequence of the failure in business of the then landlord. A Mr. Jaggers, who had been long in the trade, determined to try his fortune in it, and he purchased, the lease, fixtures, &c., and having expended some money in fitting up and improving the house, he opened it, and in due time made application to the licensing magistrates of St. Martin's parish, of whom Sir Richard Birnie is one, to have the license transferred from the former holder of it to himself. To his astonishment, however, the application met with a peremptory refusal on the part of the magistrates to transfer the license at all, and for that refusal no reason was assigned. The fact being communicated to the solicitor, who on behalf of the body of Licensed Victuallers of London, are watching the bill now in progress through the House of Commons, for the better regulation of the licensing system, one of them, Mr. Goddard, waited upon Sir Richard Birnie, by whom he was received with much politeness. Mr. Goddard opened his mission by informing Sir Richard that he called upon him in order to know from himself if he refused, and if he still persisted in his refusal, to grant the transfer license to Mr. Jaggers, of the Army and Navy Coffee-house? Sir Richard Birnie replied in the affirmative. Mr. Goddard.—I have another question which I think it my duty to put, and I wish to do it quite respectfully, I assure you. Do you give any reason for refusing the License? Sir R. Birnie—No; I do not. Mr. Goddard.—Then am I to understand, Sir Richard, that you refuse to grant this license, and that you do not choose to give any reason why you refuse it? Sir R. Birnie.—I shall not answer that question. Mr. Goddard.—I am bound to tell you it will be my duty to communicate this to the Committee. Sir R. Birnie.—You are perfectly at liberty to communicate what you please to the Committee. Here the colloquy ended, and Mr. Goddard withdrew. The house remains closed.

Distress in Ireland.—Extracts from the Report of the Committee.—City of London Tavern, June 20.—It is well known that potatoes constitute the chief support of the peasantry of Ireland. The Committee, therefore, have promptly despatched potatoes in large quantities for seed, for the next year's food. The sum of 61,300l., being about two-thirds of 92,263l. 18s. 1d., the whole amount of contributions received, has been sent in upwards of 330 remittances, to different districts of Ireland in which distress is most prevalent. To enable the ministers of religion to exercise that beneficence which so becomes the religion they profess, the farther sum of 3,400l. has been placed at the disposal of the Bishops, both Protestant and Catholic; and in all places to which assistance has been sent to prevent absolute starvation, the Protestant clergy and the Catholic priest have united with the resident gentlemen to form local committees. But the months of July and August will, they doubt not, present accumulated horrors, and call for very large additional supplies.

The months of July and August may be said to assail the committee with fearful apprehension; willingly would they make reserve for these months, which will, it is expected, resound with appalling cries from the dying peasantry of Ireland. This, however, in the present state of the funds, is impossible; for the pressing solicitations still received by every post claim instant attention and daily remittances.

On the other hand, the Committee feels that it may confidently rely on the results which will inevitably be produced by the "King's Letter," graciously issued to the clergy of Great Britain, to urge them to plead with, and collect from, their respective congregations, donations to their fellow-subjects in the most abject state of poverty and distress: the Committee look up to him in whose hands are the hearts of all men, that he will be pleased to incline them to assist the needy in their extremity. They cannot doubt the exertions which will be made when the sufferings of Ireland shall be more known—fully known they

can scarcely be. The Committee have equal confidence in the success of this plea, when urged by the ministers of religion of whatever denomination; and they rely with confidence on the repetition of that generosity which heretofore rescued a considerable part of the German population from the ruinous effects of desolating war.

In this view they present to the public some extracts of letters, addressed to the committee from persons of respectability, and which are but specimens of a multitude which the committee are daily receiving.

From Bantry.—There are by the last returns over 7,000 persons totally dependent on a fund of 553l., including the 300l. we have received from your benevolent society; and three months must elapse before any of these will be enabled effectually to provide for themselves. In a population of 16,250 (comprehending the town and barony), this is a fearful number of famishing paupers.

It being totally impossible to minister to the wants of all, scenes of the most agonizing distress are every day taking place, which we have not the means to remedy.

The unfortunate pride of the people, too, adds not a little to the calamity: one woman, with three children, died of actual starvation; they were nearly a week without sustenance, and the woman ashamed to make her case known—before assistance could be administered they were all found lifeless together.

Many are seen to faint through mere exhaustion during the necessary delay that occurs in administering food, and it is the opinion of many of the committee, that were it not for the benevolent aid of the British public, the local subscriptions would be hardly sufficient to purchase coffins for those who would die of mere want.

The typhus fever and dysentery are also prevailing rapidly, and, as far as this world is concerned, the victims of either must be pronounced comparatively happy.

From Killarney.—I will venture to say, that no case, however melancholy, that has come to the knowledge of the London Committee, can in any particular surpass the actual misery and wretchedness of the residents of Ibrickane and the adjoining barony. To prolong a miserable existence they have been compelled, for some months past, to support themselves on rock weed, limpets, and the tops of nettles. Hundreds I have daily witnessed flocking to the sea-side to collect a scanty meal. It is scarcely possible to convey to you an idea of their actual sufferings and privations: humanity shudders on viewing their pale and sickly forms, worn away by disease and famine. In some of the wretched hovels may be seen the father and mother of a family lying down in the last stage of a fever, surrounded by their starved and half naked children, with no support beyond the casual pittance bestowed by the charity of their unfortunate neighbour, whose condition, with the exception of sickness, is no way superior.

From Galway.—I am not able, I have not language, to describe the deplorable state to which this wretched people are reduced, many of them subsisting solely on a weed gathered on the sea-shore, and carried many miles on their backs; perhaps so far as 20 or 25 miles: this but barely supports existence; but for that what will man not do? what labour will not a parent undergo to still the piercing cries of his famishing children, looking to him and calling on him to preserve that existence he was the cause of giving?

There are no resident gentry in that parish. I am the only landed proprietor who ever at all visits it; and being attached to the country, I sometimes spend a few days, occasionally, at a lodge I have in the mountains; it has no Protestant clergyman resident, nor a resident Protestant except myself, but the parish priest is a worthy respectable gentleman; he and I have called a meeting of the most respectable of the inhabitants, but such is the want of money, that we could not get 10l. to this I shall add 50l. but what is that to support 4,000 distressed beings, until the harvest? I have been requested by the meeting to act as secretary, and to make this appeal to your benevolent committee, which I sincerely hope may not be without effect.

From Clifden.—To his Grace the Archbishop of Tuam.—My Lord,—I had the honour and pleasure of receiving your Grace's letter, enclosing a letter from the Liverpool Committee, with a donation of 50l. for the relief of our starving neighbours. It was very kind and good, but it will not do; effectual relief has not been given in time; public works and universal employment have been too long delayed. One poor creature, who was employed by me last week to amuse, but not to fatigue, himself at the repairing of roads, was at work on Saturday evening; fasted, I am afraid, yesterday (Sunday); got up this morning (Monday) to work, not from bed (for bed he had none), but from the ground, on which he slept without bed-clothes in his daily rags: he said he felt languid and sleepy; he was in fact getting worse; he lay down again on the ground, and died! Four died in Boffin; and if swelled limbs, pale looks, sunken cheeks, and hollow eyes, are the harbingers of death, the work of death will soon be very rapid in this country. I have often seen scarcity and dearness of provisions, but I never had an idea of famine until now.

From Cork.—Our means are so limited, and our claims so extensive, that the most calamitous consequences may be apprehended, if the immediate attention of the benevolent is not directed to this quarter. It is no uncommon occurrence to see the unfortunate individuals faint with hunger while waiting to obtain tickets, and many devour their small pittance before they reach their homes. To extend relief effectually to this barony, we require at least ten to twelve tons of meal per week, Much to the credit of the people of this country, they have betrayed no symptom of disturbance, and have hitherto borne their privations with patience and submission.

Having thus extracted from the correspondence specimens of the relations with which the Committee are daily oppressed, and which they have to compare, and between which they have also to decide for the equitable distribution of the relief which they have (they wish they could say the unmixed gratification) to divide among the miserable, they are compelled strenuously to urge upon the ministers of religion—upon all congregations assembled for the worship of the Most High God—upon those whom he has blessed with the means—that they be liberal, prompt, solicitous with others, now, while yet life exists, to bestow that which in a short time it will be too late to give for the rescue of the unhappy sufferers from death.

Some benevolent ladies of distinction have formed a plan for supplying the peasantry of Ireland with articles of clothing, and for co-operating with and exciting similar benevolent exertions in that country. Such is their deplorable condition, that the Committee have reason to believe numbers of those unfortunate creatures have been obliged to sell their clothing to provide food, and that they will be destitute of clothing in the ensuing winter. This mode of relief has been suggested to the Committee, and they very earnestly recommend it to the consideration and good feelings of the ladies of the United kingdom.

Other ladies have become the receivers of the small donations of the circle in which they reside, and by attention to encourage the humble, yet warm, benevolence of the more favoured though still humble classes of society—always forward to do good according to their ability—have been the means of collecting sums, which, in the aggregate, have aided the funds of the Committee, and gratified it with the means of rendering more decisive benefit to the sadly suffering peasantry of the sister kingdom.

Drury-Lane Theatre.—On Saturday, (June 22) pursuant to advertisement, a public meeting of the proprietors of this theatre took place in the Saloon, for the purpose of receiving a statement of the affairs of the theatre. Mr. Calcraft, having been called to the chair, stated to the meeting the object for which they had been called together. He held in his hand, he said, a statement of the accounts, drawn up by their auditor, Mr. Oakley, which

he had no doubt would prove satisfactory. It had already received the approbation of the general committee. He had the pleasure of being able to inform them, that the income of the theatre had been regularly paid by Mr. Elliston, whom he begged to mention to them with great commendation. He begged to state that Mr. Elliston had not only paid their rent of 10,200*l.* but, in consequence of the extra nights on which the theatre had been opened, they had now in the hands of their bankers the sum of 1,100*l.* for the free renters; so that he had actually paid, during the last season, 11,300*l.* When they came to reflect upon the previous circumstances of the concern, they could not but consider this as an extraordinary change in theatrical matters. They had, in addition to this, realized the other part of their income from houses and offices. There was a law charge of 280*l.*; but this, under the peculiar circumstances under which it had been incurred, must be considered rather as a gain than a loss. During the three years that the committee had held the management of their affairs, they were engaged only in one law suit, and in that they were successful. Though it cost money, as every law suit must, still the result was advantageous. Having thus stated the income and expenditure, he did not know that there was any thing more to be said on that subject, except that the utmost expectations of the committee had been fulfilled. They had got rid of debt much more rapidly than they calculated on, and there was every prospect that they would ultimately realize the whole of their property. He thought it right to state, that Mr. Elliston intended to make great alterations, and introduce further embellishments in the theatre, during the recess, which, added to the industrious efforts he was making to improve the company, would render it as attractive as it ever had been in the annals of theatrical history. As far as such property was concerned, nothing could be more promising or more cheering. They would recollect that so short a time back as three years, the house was filled with execution, and laboured under embarrassments of every kind. Since that period they had repaid 75*l.* per cent. instalments on their debts; and if they had not realized all that they owed, they had the most favourable prospects before them. To show more clearly the situation of their affairs, he would state how the concern stood in 1819, and at the present time. When the committee undertook the affairs of the company in the year 1819, they found a debt upon the concern of 92,404*l.* which debt was in July last reduced to 45,939*l.* since which period the sum of 11,973*l.* had been discharged, reducing the present amount of debt to 33,965*l.* They had therefore paid off during this year, 11,976*l.*—much beyond what they expected. They had been called upon to pay 2,000*l.* for a lien upon the theatre, which they did not anticipate; but which, upon looking into the terms of the engagement, was found perfectly just. On this account, the balance into the banker's hands did not appear so great as it would otherwise have been: but as it was so much debt paid off, it might be fairly added to the amount of their profits. Agreeably to the stipulations held out to the subscribers to the loan, the sum of 4,351*l.* was to be paid to them in the course of the next year. The committee having already paid three instalments of 25*l.* per cent. each with interest, up to January last, they had therefore fulfilled their engagement in a great measure, so that no more than 3,400*l.* remained due. The next part of the plan, that of setting aside the nightly receipts for the new renters, had been fully acted upon. The only incumbrance, therefore, that remained, was 24,416*l.* due to the bond-holders, and 5,200*l.* to claimants, which, in all probability, would not be called for, and which, if it should, they would be perfectly ready to pay. The committee confidently calculated that they would be able to discharge the whole of the debt within the time mentioned in the several reports made to the proprietors. From these circumstances, the meeting would perceive that the committee had fully realized the scheme held out three years back to the public. The new renters might have the 1,100*l.* paid for extra nights, whenever they pleased to call for it. He would not trespass longer on their attention, but merely to repeat that their prospects were much better than any person, a short time back could venture to hope. From the punctuality and great attention of Mr. Elliston, he formed the most sanguine expectations that they would be able to realize every thing held out to the proprietors.

After appointing the auditor and committee, and doing some other important business, the meeting broke up.

Spanish Papers.—Yesterday afternoon we were kindly favoured with some Spanish Papers brought out by the Portuguese Ship RESOLUTION, which left Lisbon on the 1st of August, but the lateness of the hour at which they came into our hands prevents us from doing more than merely glancing at their contents.

There seems to have been a terrible convulsion at Madrid in the night between the 6th and 7th of July; but the impassioned language in which it is described renders it difficult to collect the naked facts. The SPECTATOR says:

"The melancholy occurrences of which this capital was the theatre yesterday, ought to have blasted even the last hopes of the enemies of liberty in their nefarious projects. Four battalions of the royal guard which in March 1820 not only swore before the God of Armies to guard and defend the constitution of the Spanish Monarchy, but contributed to its establishment at Madrid, abandoned on the night of the first July their quarters and their posts; and proceeded to take up a position in the (*Pardo*) whence they meditated marching against the capital, attacking the national militia in the most treacherous and perfidious manner under the favor of the cloud of night, with the revolutionary cries of "Live ths King—Death to the Constitution." The heroic valor of the gallant Militia and troops of the garrison, frustrated the malignant and atrocious designs of those miserable traitors, and the liberty of Spain was confirmed in a single hour of combat. This triumph of Liberty against Despotism must have filled the hearts of all lovers of their country with rapture; but this pleasure is embittered by the sad and lamentable circumstance of Spanish blood having been shed by Spaniards.

"If the Monster or Monsters who originated such horrors had heard yesterday the cries of the wounded, the groans of the dying, the wailing of widows and orphans, reduced to despair by the death of those even who after having heretofore given so many days of glory to their country, have perished covered with ignominy and disgrace, the last accents that met their ears being the execrations of their countrymen whom they purposed treacherously to massacre;—if the Monster or Monsters, (we repeat it) the authors of so many calamities, had been present at these horrible scenes and survived them—we might have well said that they exceeded in tyranny and blackness of soul the Nero's and Caligula's."

We here stop our translation to observe that the above evidently points to Royalty, as being implicated in the insurrection. The writer goes on to recommend as the best way to prevent the recurrence of such disasters, that the Palace should be purged of evil counsellors, and the throne surrounded by men who possess the confidence of the nation.

Another paper (NUEVO DIARIO DE MADRID) says—"The more we examine the events of the night between the 6th and 7th instant, we meet with fresh reason for wonder and admiration. Since it appears impossible that we should have been saved, and yet we are in fact safe.—The circumstances were emergent; the remedies adopted were powerful; the hostile combination vast and widely ramified, and the position of the good so delicate that the result which we have seen, was out of the common order of things—

"The following anecdote is narrated as of undoubted authenticity: On the night of the 6th (of July) the Colonel of the Infant Don Carlos, (foreseeing that there was forming in the Palace a plot against Liberty and its Defenders), sent one of his attendants to the Palace to gain admittance under some pretext to General Morillo; and rescue him from the danger which threatened him. The General was not there, having probably had a presentiment of the same evils; and when this Officer who went in quest of him, wished to go away, he was detained by the same persons who were then watching the moment to slaughter so many victims on the altars of Despotism."—*Hurkaru.*

PARLIAMENTARY.

Imperial Parliament.

HOUSE OF LORDS, FRIDAY, JUNE 21, 1822.

The Duke of GRAFTON presented several petitions against the corn importation bill from different parts of the county of Suffolk.

CATHOLIC PEERS' BILL.

Lord HOLLAND rose to present a petition from a body distinguished for its attachment to the free principles of the constitution of the country, and its constant support of religious and civil liberty—he meant the corporation of Nottingham; and he would take the liberty of calling their lordships' particular attention to this petition, as it equally claimed consideration on account of the important body from which it came, and the liberal sentiments which it expressed. Their lordships well knew that the corporation of Nottingham had been at the Revolution forward in their opposition to the Popish religion, and in their resistance to the tyranny of James II. The persons, however, who approved of what their ancestors had then done for the security of liberty, were now anxious for the repeal of those restrictions which, in the then state of the country, it was thought necessary to impose. They now thought that laws enacting pains and penalties should no longer be maintained when the necessity of such severe enactments had ceased. They were therefore desirous of seeing their Roman Catholic countrymen in the enjoyment of the same freedom as themselves. He considered it the more necessary to advert to the sentiments of the petitioners, in consequence of what had fallen from a noble duke (the Duke of Newcastle) a few days ago, on presenting some petitions from the same part of the country in opposition to the bill. The noble duke then stated, that a general alarm prevailed in that part of the country, in consequence of the bill for restoring Catholic peers to their right of sitting in that house. Now the corporation from which the present petition came had often been accused of showing too much complaisance to popular opinion—of joining too readily in any popular clamour. It appeared, however, from the petition which he had the honour to present, either that the corporation of Nottingham had too much independence and firmness to be influenced by popular opinion, contrary to their own judgment, or that the sentiments of the people in that part of the country were not what the noble lord had represented them to be.

The petition, which prayed that the bill might pass, was read by the clerk, and laid on the table.

The Earl of ALBEMARLE presented a petition from the parish of Clerkenwell also, praying that the bill for allowing Catholic peers to sit in that house might pass into a law.

A considerable number of petitions were presented against the bill, from different places and persons by Lord KENYON, the Duke of MONTROSE, Lord SHAFTESBURY, &c. Several of these petitions purported to be from Protestant dissenters, and one was, as we understood, from Mr. Huntington, the son of the preacher of that name.

Earl GREY, on one of the above petitions being presented, rose, not, as he said, to oppose the receiving of such petitions, but to point out the very little weight which could be attached to them, as none of them came from public bodies, or had been agreed to at any public meeting, but were all signed in a private and secret manner.

Lord REDESDALE thought that the observation of the noble earl, instead of being an objection, was a recommendation to the petitions. They were more entitled to consideration than if they had been carried amidst the clamour of a public meeting.

Earl GREY could not agree with the noble and learned lord in his preference.

The LORD CHANCELLOR concurred with his noble and learned friend in giving preference to petitions privately signed, as he conceived there was no opportunity for deliberation amidst the confusion of public meetings.

The tonnage duty and assessed taxes' bill passed through committees.

ORDER OF THE DAY FOR THE SECOND READING OF THE CATHOLIC PEERS' BILL.

The Duke of PORTLAND rose to move the second reading of this bill. In doing this he could not refain from reminding their lordships of what had been the state of Roman Catholic peers before the acts which the present bill proposed to repeal had passed. They would recollect that an act which passed in the reign of Queen Elizabeth had excluded Roman Catholic members from the House of Commons. At this early period of the Reformation, when plots were supposed to exist against the new religion, it was not thought necessary to exclude Catholic peers from the House of Peers. In the reign of Charles II., when the country was alarmed with charges of conspiracy, an act passed by which Catholic peers were excluded from their seats. This act of the 30th of Charles II. was afterwards repealed, and that of the 1st of William and Mary substituted in its stead: but if a jealousy of Roman Catholics was necessary in those times, it could not be contended that the same jealousy ought to exist now. At any rate, the jealousy ought not to be greater now than it was in the reign of Elizabeth, while the power of the Church of Rome was in full vigour. The noble duke quoted the act of Queen Elizabeth, which stated that her Majesty had confidence in the Lords of Parliament, and therefore that the act was not made to extend to them. Thus, the law continued allowing Catholic peers to sit in Parliament till the 30th of Charles II. During the whole period it never was objected to them that they acted in any manner hostile to the established religion. He could not, therefore, conjecture what reasons were to be urged against the present bill, and consequently could not be expected to answer them. In the time of Charles II. the jealousy and fears which prevailed afforded some pretence for the exclusion, and as the Revolution the state of the country also afforded a ground for that measure; but where could any pretext be found now? Parliament had within the last 25 years repeatedly suspended the *habeas corpus* act; but had the Roman Catholics any connexion with those suspensions? Was it ever alleged as a reason for any of them, that there existed any plot for placing a Popish prince on the throne? It was incumbent on those who opposed the bill, to show that some danger was to be apprehended from Roman Catholic peers sitting in that house. If this was not done, their lordships were bound to agree to a measure which only restored those peers to their rights. The noble duke concluded by moving, that this bill be now read a second time.

Lord COLCHESTER opposed the bill, but as his lordship spoke from the cross benches, with his back to the bar, and in a low tone of voice, few of his observations could be distinctly heard. He began by complimenting the noble mover. The measure, he said, which the bill proposed to reverse, stood upon the grounds of policy and legislation which had been adopted at a period long antecedent to the Revolution. At that period, however, the Roman Catholics were finally excluded from parliament. That this was a principle of the Revolution, was apparent from the declaration of the Prince of Orange, which pointed out that exclusion, and by the demand for a Protestant parliament. The parliament of Scotland also specifically excluded Roman Catholics; and the exclusion of Roman Catholic representative peers was provided for by the articles of the Union. The law, therefore, was made and continued in force on constitutional principles; and though it were true, as contended, that no evil could arise from allowing a few Roman Catholic peers to sit in that house, yet that part of the law ought to be retained as a protection against other dangers. The noble duke who proposed to pass this bill ought to have shown that it was consistent with the constitution. He (Lord Colchester) had no objection to grant as large indulgence to Roman Catholics as was practicable, consistently with our constitution; but their lordships could not act on general principles of liberty in this respect, for the relief of their Roman Catholic countrymen: they must take their stand on the ground of the Protestant constitution. He had no objection to persons separated from the national church holding situations unconnected with political power. He therefore rejoiced to know that at the coronation a Roman Catholic peer had occupied a distinguished place in the august ceremony. He also rejoiced that his Majesty had paid a visit to Ireland, and was pleased with what had passed in that country. He therefore felt no objection to Roman Catholics holding offices of state or obtaining posts of honour. The laws that affected Roman Catholics were different in the two parts of the empire, Great Britain and Ireland. He would think it proper to consider how far their condition might be equalized. He wished likewise to see no limitation to their enjoyment of the Royal favour. Preserving what the safety of the established religion and the security of the state required, too much could not be granted. He would treat them with the kindness due to children of the same family. Every thing that remained to be done in the way of religious toleration should be accomplished. He would relieve them from the painful necessity of celebrating marriages in our churches. Notwithstanding, however, his opinion in favour of the most perfect toleration, he thought that the monastic establishments that were said to be erected in this country required to be investigated, and he would not allow any other form of worship in our fleets and armies than the Protestant. No man who regarded with reverence the Protestant system, could see without alarm innovations of this kind. Though disposed to every reasonable concession in favour of the Roman Catholic clergy, he would not allow them any power as an ecclesiastical body, while they were necessarily instruments and tools of the Church of Rome. He would exclude Roman Catholics from the high offices of the Government, from presiding in courts of justice, and from seats in either House of Parliament. It was a dangerous delusion to suppose that the spirit of Popery was changed, and that the Church of Rome had become tolerant. All the doctrines hostile to religious freedom had been revived in our own times. The new constitution of Spain allowed no religion but the Roman Catholic. The order of the Jesuits, after having been abolished, had been restored all over Europe.

The establishment of schools for mutual instruction had been prohibited. The presumptive heir to a Protestant throne had applied to have a Protestant chapel at Rome, and his request was refused. Some indulgencies, however, had been granted by Roman Catholic states to Protestants, which it would be hazardous in Protestants to imitate. Absolute and limited Governments stood on a different footing as to previleges that might be granted to persons dissenting from the religion of the state. Their lordships must be well aware, that on this point their legislation must be regulated by the principles of the constitution. It was said that the Roman Catholics whom this bill would entitle to seats in Parliament were few, but the paucity of their present number afforded no security against their increase. If their lordships acted on the principle of this measure, they might afterwards be called to give compensation to Roman Catholic families for their long exclusion from power. He did not know what demands might be made, when a door was once opened to such innovations. He concluded by moving, that the bill be read a second time this day six months.

Lord ERSKINE next addressed their lorships, but was often quite unintelligible below the bar. He would rather perish than give his consent to any measure which could violate or weaken the constitution as established in church and state; but the bill now before their lordships was calculated to strengthen the constitution by extending its benefits. Much of what his noble friend who had spoken last had said, had been respecting the concessions which ought to be granted to Roman Catholics. He (Lord Colchester) had stated peers had been excepted from the exclusion of the 5th of Elizabeth, and that there had been no idea of excinding peers till the 30th of Charles. The whole foundation, then of the exclusion was, as his noble friend who moved the second reading of the bill had said, the Popish plot. Now it was most remarkable, that the Popish plot had no other foundation but the testimony of Titus Oates. It had not been asserted by the Commons who impeached Lord Stafford, or by courts of justice, that the plot had had any other testimony to prove it. Mr. Serjeant Maynard, who published his account of the proceedings after the revolution, had been principal manager in the impeachment. Did he venture to say that it had any other foundation but the testimony of Oates? The whole plot rested on the act and testimony of one man. But as the case must have fallen down without two witnesses, another man was got to support his testimony, as was necessary in a case of high treason. It had been said that it was to God alone we owed the discovery by means of Titus Oates. He would say that it was not the act of God which influenced Oates, but the instigation of the Devil. But four years afterwards. Titus Oates had been himself tried, and not on the testimony of one, but of 47 witnesses He was convicted. After his conviction, no doubt, could remain in honest and honourable minds of the nature of his plot and his evidence. He would be content to give up the bill, if one man in that house would say that he did not believe Titus Oates to have been guilty of perjury. (*hear, hear.*) Yet there had been no other evidence of the plot, which was the foundation of the exclusion which the present bill would repeal. Did he then say that the verdict given on the evidence of Titus Oates had been corrupt and illegal? No; he had no doubt that those who gave that verdict acted honourably, under the influence of prejudices which led them to feel convinced that the acts alleged had been committed. But such circumstances and such cases no longer existed to justify, or even afford a pretence for, the exclusion which was then thought necessary. He called upon their lordships to say whether this was true or not. Were the circumstances the same, either in point of real danger or of imaginary alarm. He would put it to his noble friend (the Lord Chancellor) whether there was now danger from a Popish sucessor? Was there danger to be apprehended from the Popish prejudices of the royal duke (of York) who sat on his right hand? (*hear and a laugh.*) His noble friend who had last spoken had taken no notice that the oath was no longer the same which had been required at the time of the exclusion. The oath had been repealed; and it was declared by a statute which he had brought down in his hand, that a different oath enabled Roman Catholics to serve as officers in the army and navy, to act as magistrates, to be grand jurors and petty jurors. The act of Charles II. was equally decisive against Roman Catholics coming into the King's presence, as against their having seats in that house. (*hear.*) By the act of the 24th of June, 1791, no peer who should take an oath of allegiance was liable to be prosecuted; and by the 33d of the King, in Scotland, whoever took that oath was declared a good and loyal subject. When, therefore, they gave offices of trust to the Roman Catholics, how could they refuse their rights to them in that house? Was it because they would not deny the spiritual authority of the Pope? But if they were good and loyal subjects, could their lordships deny them their seats in that house? The circumstances were no longer the same as when they were excluded. The cases of the Roman Catholics of the time of Charles II. and of the present time were entirely different. With respect to the King's visit to Ireland, none could more rejoice than he did in all the circumstances of gratification and promise which distinguished that event: but they never would succeed in tranquillizing Ireland until they sincerely respected their rights, and placed confidence in the oaths which were administered to the Roman Catholics, and which they were disposed to take.

The LORD CHANCELLOR was of opinion that this bill demanded nothing more or less from him than unlimited concession to the Roman Catholics. (*hear, hear.*) Give the Roman Catholics this, and they could resist nothing hereafter which they ought to resist. (*hear hear.*) He had had the honour of being intimate,—he ought rather to say he had had the honour of being known to a great statesman, whom he could never think of but with the greatest respect. If he had differed with him on this great question, it had been for no other reason than this—that if he thought concession to this extent wrong, no earthly reason could induce him to give his consent to it. This was the only reason which influenced his conduct since these discussions were first agitated in 1799 or 1800. If he could have hesitated one single moment to grant any thing which the Roman Catholics could request or desire, provided the Protestant church of England was secure, he should hold himself to act most unworthily. But he never could learn what securities were to be given to the Protestant church. That was the reason why he never could assent to the concessions asked. He never could learn from the friends and advocates of those concessions, some of whom received the greatest respect not only in this country, but all over the world, what securities they would give. At the end of the last session he had, indeed, seen a bill which proposed its securities. But good God, was it from the descendants of the great authors of the revolution of 1688 that a measure proceeded which, was the most amazing thing he had seen in the course of a long life? The measure of last year provided, or rather left, one security, which was that one individual should be a Protestant---an individual who must be a Protestant, who could not cease to be a Protestant, and who, if he ceased to be a Protestant, would at once, and by that act, dissolve all allegiance. The King, it was provided, must be a Protestant; but the bill of last year left that Protestant King to be surrounded by Roman Catholics, save only the individual who held the office which he (the Lord Chancellor) so unworthily held. If he were speaking any where but in that house, he would say he had never seen such nonsense. That house had never submitted to it such trash about bulls and dispensations as that bill contained. Until the noble lord, for whom he had that respect which he deserved ---for whom indeed his respect was so sincere that nothing gave him greater pain than to differ from him on this point---until that noble lord had distinguished the case of the Roman Catholic peers last year, he had heard no such distinction made during the 20 years that he had heard discussions upon that subject. He would here say, and he had said it once for all, that many of their lordships had little notion of what the state of the Protestant mind was upon this question. (*hear.*) This he said not upon the authority of petitions, but upon authority which could not be mistaken, and could not mislead him. The noble lord had distinguished Roman Catholic peers from other Roman Catholics. He should say nothing but what was most respectful towards them. It was not for such a man as he was to speak his own sentiments on such a point, but he would adopt the words of a great judge, in the case of the Great Chamberlain, who said that he made a covenant with his affections and feelings, lest they should wrest his judgment; for who that had any feeling of nobleness and greatness could help feeling in the case of such a person? So he said in this case. He could, however, avail himself o f the authority of Mr. Pitt, of Mr. Grattan, of many noble lords in that house, of every name celebrated as advocating concession since the last 20 years, and of the respectable gentleman who was supposed to be the author of this bill---he could avail himself of the authority of all to bear him out in saying that until the end of last session not one had asked concessions to the Roman Catholics without securities to the Protestant church. When their lordships should have decided on this point in terms of the bill now before them, it would be out of their power hereafter to deliberate as they ought on any further concession. (*hear.*) He had thought that he had been misled by a foolish fellow who was printer to the House of Commons, and who had printed a bill repealing the 30th Charles II., which had been repealed before. He had understood that a gentleman, who must be considered a very great statesman to whatever part of the world he might go, had framed the bill, and that he had been assisted in doing so by a great number of lawyers. But the corrected bill on the table of their lordships referred to King William's act "and whatever other acts respected the exclusion of the Roman Catholic peers." The bill then, assuming that the law of Charles II. no longer existed, proceeded to state its enactments without any security whatever to the Protestant church. It must be confessed that prior to the reformation our ancestors had often shamefully and ignominiously submitted to the yoke of Rome. At other times they acted as became a great and independent state. From the time of the reformation to the time of the revolution the country was subjected to all the anxiety and all the misery of not knowing what religion was dominant—of not knowing what religion was in alliance with the state—not, as he had formerly stated, for the purpose of making religion political, but of making the state religious. By passing such a bill as the present, their lordships would put the kingdom again in the condition of not knowing which religion was dominant. It could not be known what religion would be dominant till another bill should declare it. If it was meant to continue the Protestant religion dominant, let them say so; if it was meant to make the Roman Catholic religion dominant, let it be so stated; but let them not leave it in doubt which religi-

on was dominant. King William on a certain occasion said to Sergeant Maynard, "Mr. Sergeant, you must have outlived all the lawyers of your day." (The Sergeant was very old, and had been engaged in preparing the bill of rights.) The Sergeant replied, "I should have outlived the laws too, if your Majesty had not arrived," (alluding to the revolution.") So his noble friend (we believe Lord Erskine) would find that, if this bill were passed into a law, he would outlive (and he was glad that he looked so well and promised to live long) all the laws which gave security to the Protestant Church. He begged leave to recall to their recollection the laws that were passed in the reign of Philip and Mary. More degrading, more debasing, and more disgusting enactments than those which were passed at the request of the Pope's nuncio, and giving to the Pope the same power in this country as in former periods, and degrading the King from being the head of the church and state, could not be found in the annals of any country. Chief Justice Hale had said, and he (the Lord Chancellor) followed his example, that no Catholic and Protestant could take the oath of allegiance together in the same sense, if the Catholic did not take the oath of supremacy; for the oath of supremacy was necessary to prevent the supposition that there was either eclesiastical or spiritual jurisdiction in the Pope. Queen Mary had repealed all the acts which recognized the supremacy of the Sovereign of these realms. This was a proof that those laws were opposed to that jurisdiction which Roman Catholics would give the Pope in this country. Their lordships could not give the Roman Catholics the concessions now asked, and leave the Protestant dissenters in the situation in which they now were. It was most absurd to refer to a period when there had been such a contest as to which religion would be dominant. By the 5th of Elizabeth, which was an anomaly in our course of legislation, the Roman Catholic commons were excluded from Parliament, but the Roman Catholic peers had not yet been excluded. Then the 30th of Charles II. excluded peers: but they might have been excluded before that act by a short question---whether they were recusants. The revolution, however ---that great and glorious era in our history---that foundation of our liberties,---the revolution of 1688 established the Church of England such as it now existed. The great men who legislated at that time continued and re-enacted what had been passed in the reign of Charles II. But there was another reign---that of James II. He had seen pamphlets, he had read newspaper reports, referring, very inaccurately of course, to the reign of James II. But supposing no such reign to have existed, and that Titus Oates had never been born---forgetting what Russell and Sydney had said at their executions---he would put the question, not whether the 30th of Charles II. excluded Roman Catholic Peers, but whether King William had excluded them at the Revolution, and whether he had, on his death-bed, put his seal to the Act of Settlement---whether the exclusion was repeated by the articles of Union---and whether George I. re-enacted that exclusion in express words and terms. In the Indemnity Acts of the 15th or 19th, he forgot which, of George II., no such thing had been put forward as that the enactments against the admission of Roman Catholics into that house had been repealed. It had been asked whether there was any danger from a Popish successor. The word of a king he regarded as equally sacred with his honour or his oath. But it was not the word or the oath of an individual, but the constitution, which secured the liberties, religion, and happiness, of this country. (*hear, hear.*) James II. said that nothing was so near his heart as the care of the Protestant religion, and that no man could wish for greater power than the laws gave to the King of these realms; yet he was employed from day to day, with the assistance of those who ought to have resisted it, in violating the constitution, and in making his will his law. He (the Lord Chancellor) would not, therefore, trust any king—he would not trust him who sat in that house now (the Duke of York,) but the constitution. If the constitution were violated by passing such a bill as this, he could not tell what might happen in a month, more than it could have been foreseen what he would have done who had said that nothing was dearer to his heart than the care of the church. With respect to that gentleman Titus Oates, he had no doubt he was a scoundrel, yet he had been most scurvily used. He and his Judge, Jeffries, were both unworthy of credit; he knew not which was worse. No legislature could bind the legislature of to-morrow. But when a country had suffered as this country had done, and the legislature guarded against the causes of that suffering, and left those guards to their posterity, it behoved their lordships to take care how they would disturb them. The acts now in question were distinguished from any individual and particular acts. The former were fundamental, essential, and "for ever;" the latter were only enacted in common language. He looked to what was embodied in the law. King William expressly said in the act of settlement, that in order to secure our religion, liberties, and laws against being ever again thrown into danger, such as had formerly threatened to destroy them, certain provisions should be made. Among those provisions was re-enacted the disability of Roman Catholics to sit in Parliament. It was also provided that a Protestant church and Protestant legislature should have a Protestant King. It had been found by experience, that it was inconvenient to have a Protestant Parliament and a Roman Catholic King. It was therefore provided that the King, as well as the Parliament, must be Protestant. Not only did they do that, but they imposed a coronation oath. He would not now say to what extent that coronation oath proceeded—he would only notice, that it bound the Sovereign to secure the liberty and privileges of the people; and on no point was it more strong or decisive, than in providing that the monarch should support and preserve the religion of the country as by law established. Again, those who took certain offices were, under the present state of the law, obliged to make certain declarations. How far it would be consistent to dispense with such declarations in the case of Catholic peers, while Protestant peers were obliged to subscribe to them, he would leave for those to determine who were friendly to this measure. It was at the revolution an essential part of the system to support the Protestant church and state completely Protestant. The present bill made an evident inroad on the principle—an inroad that might extend to the Crown itself. By the doctrines supported and maintained at the revolution, if the heir to the throne cherished Roman Catholic principles, he was obliged to recant them; nor could he ascend the throne then, until he was confirmed; nor then, till he made a declaration before the peers at the coronation. All this he must do, before he made his first appearance in that house. He spoke here of the declaration that was exacted from every monarch, by which he was bound as a Protestant to protect the Protestant church. His present Majesty had made that declaration before he sat under the canopy of state in the house of peers. If he (the Lord Chancellor) had lived in the time of their ancestors, and had gone up-stairs, and told the individuals who framed those securities, that they were a parcel of rank cowards, and were adopting such measures merely because Titus Oates had frightened them, he was inclined to think that he would have found a much quicker way down stairs than that by which he ascended. (*a laugh.*) What was done, he would ask, in the time of William? When he was considering the subject seriously, and was most anxious that something effectual should be done, he signed the act of settlement. He found that all the acts of James II. were intended to subvert the Protestant religion; and at the end of the bill of rights it was enacted, that the Protestant religion should be the religion of the land for ever. He did not mean to say that this might not be altered; but they ought to look to the remote as well as the immediate consequences of any act that would have such an effect: and they ought especially to take care that they did not, in 1822, cast the most severe censure that could be imagined on the memory of those great men who effected the Revolution of 1688; for no censure could be more severe than the passing of a law which could essentially alter the principles on which the Revolution was founded. He now came to the Union with Scotland; and he would say, that if they were at liberty to do that which was now proposed, the parliament of Scotland had made a bargain with the legislature of this country, so exceedingly foolish, that he knew not how to designate it by any appropriate epithet. The English acts on the subject of that union were very few: those passed by the Parliament of Scotland were more numerous. He would call on noble lords to read the acts both of England and Scotland relative to the union, and he was sure, having done so, they could entertain no doubt but that a pure Protestant legislature was intended. It was expressly stated, that "no man should be elected, and no man should elect, to a seat in either house who was not a Protestant." It appeared to him utterly impossible that they could, under these statutes, agree to the bill. If they did, they might, if they pleased, overbear the whole of the provisions connected with the Union of Scotland and England. He now came to the reign of Geo. I. Soon after the Revolution, an act was passed which had nothing to do with the causes that produced the act of Charles II., and yet it recognized the provisions of that measure. In the same way, the act of George I., without referring to the Revolution as necessary or not – without adverting to the causes that produced it—without noticing that event in any way, alluded to all the acts and declarations which had sprung out of it, and re-enacted them all. The noble and learned lord then alluded to the act of indemnity which was passed in the reign of George II., as a farther illustration of his argument. In the preamble of that act, the causes and circumstances which gave rise to the act of Charles II. were enumerated; and he contended, that their lordships could not agree to the present measure, without saying that all the causes and circumstances which occasioned various acts from the time of Charles II. up to the last year, had ceased to exist. How, he demanded, was it possible to say that? How could such an assertion be made by those, who, year after year, when bringing bills into Parliament on this very subject, ushered them in with a declaration, that they could not think of touching on the Protestant establishment in church and state, and therefore proposed what they called securities, but what he considered to be no securities at all? (*hear, hear.*) How any one could introduce such a measure as the present, and at the same time say that it could have no effect whatever on the general measure of emancipation, he could not conceive. Submissive as he was sure the people of this country would be to whatever Parliament enacted, still, he hoped that, with reference to this measure, the feelings of the people would not be forgotten. (*hear.*) He knew not the meaning of one body of people being excluded from the House of Commons, while

another body, professing the same faith, were admitted into the House of Peers. If they were once admitted to sit in that house, Roman Catholics must also of necessity sit in the House of Commons. It could not be otherwise. (*hear hear.*) Would the noble earl who introduced the bill abrogate any of those enactments which, with respect to religion, affected the Sovereign? Would he allow the King to marry a Papist? If the noble earl, from a conscientious feeling, would prevent his Sovereign from marrying a Papist, (*a laugh*), he, from an equally conscientious feeling, must object to the introduction of Roman Catholics to that house. It was said, to him and others who disapproved of this measure, "You have been always calling out for some specific measure on this subject, and now that we have introduced one, you are dissatisfied." It was very true, when those who favoured the Catholic claims were demanding measures without securities, or were proposing securities which, on his conscience, the men who proposed them ought to be ashamed of, he had demanded some specific, some clear and tangible proposition. He called for it, because, until he saw the measure, he could not decide whether securities were necessary or not. At length, this bill was brought forward; but he felt it necessary to oppose it strenuously; because he was quite sure, that if he agreed to this specific measure, he could not resist any other. (*hear.*) It was nothing more nor less than a motion for general emancipation; and therefore he could not consent to its adoption. In a short time it would be of very little consequence to what he did or to what he did not consent; but while he had the power he would endeavour to discharge his duty firmly. It was repeatedly urged that the question of emancipation would be carried sooner or later. He did not believe it (*hear*); and he thought the oftener the assertion was made the less chance there was of its being confirmed. (*hear.*) If these were the last words he ever spoke he would say, that should this measure be carried, then the liberties of his country, as settled at the revolution, the laws of his country as established by the securities formed at that time for the preservation of her freedom, were all gone; but he should have the pleasure to reflect, that he was not accessory to their destruction. (*hear, hear.*) The laws and liberties of England he would maintain to the uttermost; and therefore he should decidedly oppose the measure. (*hear.*)

Earl GREY admitted that the noble and learned earl who had just sat down had introduced into the present discussion a great portion of legal learning; but its application to the question now before the house was not, he thought, very distinctly pointed out by the noble and learned earl. They had heard high and astounding words—words alarming to their ears—they had heard long and intricate deductions drawn from various laws, which, as it appeared to him, were not very strictly applied; but he hoped, when their lordships had overcome the impression which the noble and learned earl's speech was calculated to produce on their feelings, they would find that what he had advanced was not of a sufficient weight to induce them, on cool reflection, to reject the bill which now stood for a second reading. He would begin where the noble and learned earl had concluded. He would say, that to the liberties of his country, as established at the Revolution—in the true spirit of those laws by which the freedom of the country was then secured—he was as strongly and as firmly attached as the noble and learned earl, or any other noble lord in that house; and if he could see, in this bill, the most remote tendency to the destruction of any of those liberties, or of any of the necessary securities for the maintenance of those liberties, no man would more eagerly resist such a measure than he would. But believing that this exclusion, of which so much had been said, was not the principle on which their ancestors had acted at the Revolution, but was, in reality, an exception to the general principle—believing that it was their wish to establish liberty on the most firm foundation, with all the securities that were necessary, but unaccompanied with restrictions on any party—believing that the exception from the general principle on which their great work proceeded arose from an over-anxiety—believing this, and seeing, in the present state of the world, that there were no longer any of those existing causes which history informed them operated on the minds of men at that time, he, in the genuine spirit of the Revolution, appealed to their lordships on behalf of those noble persons who had hitherto been deprived of the rights and privileges which were inherent in them from their birth. (*hear.*) He called on their lordships to restore to them those rights, if he could show, as he thought he should be able to show, that there no longer existed any reason for having recourse to disqualifications, which were not sanctioned by necessity, and which the noble and learned earl must himself allow to be unjust. (*hear.*) The noble and learned earl, like the noble baron on the cross bench, had endeavoured to impress their lordships with a notion, which was strongly asserted, but not attempted to be proved by any mode of argument—that this bill, if passed, was only a preliminary step to the adoption of the "full measure of emancipation," (the words made use of by the noble and learned earl to express that relief to which the Roman Catholics were entitled); and that, if it were carried, it would be impossible to hold back from admitting that a body to all the privileges of the constitution. Undoubtedly, if that were the case, it would not operate as an objection in his mind. It was, however, said, that this measure was only a veil, by which the real object intended to be effected was kept out of view. But though he had heard such insinuations cast out on this bill, it did not in the smallest degree alter his opinion of it, and he thought that those insinuations were without the remotest shadow of foundation. How stood the case? The author of that bill, an open, manly, ardent, and, it must be admitted, most powerful advocate of the Roman Catholics, seeing that it was not intended by those who usually introduced this question, to bring forward a general measure of relief in the present session, determined to introduce the measure now before their lordships. On his application to the House of Commons, he was allowed to bring in a bill to admit Roman Catholic peers to seats in this house—a privilege of which they had been deprived contrary to justice; and from which they could not now be excluded unless causes similar to those which occasioned that exclusion were shown to exist at present. Was not the measure thus brought forward entitled to be considered on its own merits, without reference to any adventitious circumstance? Certainly it was; and it required more than the mere assertion of the noble and learned earl, or of the noble baron on the cross-bench, to prove that, if it were passed the full measure of emancipation was conceded. He had always abstained from resting the claims of the Roman Catholics on any assertion of his. He maintained, as high as any man could do, the general rights of conscience, in obedience to which men must be permitted to worship their Creator according to the forms of that religion which they believed to be true. Admitting this, however, he admitted also that it might be liable to restraint, when such restraint was proved to be necessary for the general safety. But this necessity ought to be most clearly made out, and the *onus* lay upon those who maintained that restrictions and disqualifications were called for, to prove that religious opinions were so nearly and inseparably connected with political principles and sentiments, dangerous to the state, as to render it absolutely necessary to throw fetters on religion, and to view with suspicion a particular sect. This was the true principle, and indeed the only one, on which exclusion could be justified. If such a case could be made out, and if the right of self-defence were as great in communities as amongst individuals, then he admitted that exclusion might be resorted to. But the *onus* to prove the necessity rested, as he had said before, on those who introduced restrictions; and if, in a particular case— in the case of an individual, they were bound to look with anxious attention to the proof of such a necessity, how much more forcibly were they called on to examine the circumstances connected with the situation of those Roman Catholic peers, who were brought before their lordships, not on their own application, but by a strong sense of justice operating on the feelings of him who formed this bill? It was for those who opposed the bill to show, why those noble persons should be deprived of those privileges to which they were entitled at their birth —which their ancestors had enjoyed through a long series of ages—and which could not be abrogated, except for crimes that would degrade them from the peerage, or in consequence of some political necessity such as he had stated. Placing the question on this ground, let their lordships see how it stood. From the period of the Reformation, until the time of the act of Charles II. Catholic peers were not excluded from that house. The noble and learned earl went into previous parts of our history, and quoted several acts of Henry VIII. The 22*d*, 26th, and 28th of that King, were acts passed to secure the succession of the Crown in the proper line. These acts referred to the oath of supremacy, but none of them required that oath to be taken by members of either House of Parliament. He did not find the oath set forth in any of those acts of Parliament, though it was alluded to. Until the 5th of Elizabeth, no oaths were taken, and no qualifications were required for members of Parliament. In the 5th of Elizabeth, an oath was taken; but it was not introduced as a previous condition for members about to take their seats, neither was it visited by forfeiture if they did not; and in the act containing that oath, there was an express exception in favour of members of the House of Lords. Then, he asked, what was the inference, when, in the early part of the Reformation, at a time when the dangers which threatened the new system were so great, what was the inference when they found no test imposed? Was it not clear that the Catholic religion was not viewed as containing doctrines dangerous to the state? What was the situation of Elizabeth, and what were the dangers to which her government was exposed? She had, at the time to which he alluded, the most powerful monarchs of Europe leagued against her, the most powerful pontiff that the history of the Catholic church can furnish then sat on the throne of Rome, and sanctioned the measures of those potentates who were anxious for her destruction. That was a period abounding in fearful events. The assassination of the Prince of Orange, in the Netherlands, the massacre of St. Bartholomew, in Paris—the various conspiracies against the life of the Queen, were all calculated to excite distrust and suspicion. And yet, with all these inducements to adopt severe measures, Elizabeth and her Parliament never thought it necessary to exact that security, which the noble and learned earl now declared to be the great defence on which the safety of the constitution, of the Protestant religion, and of the church of England, essentially depended.

(*hear, hear.*) They never thought of such a thing: on the contrary, by an express provision in the act, peers were exempted from the operation of that law which compelled members of the other house to take the oath of supremacy. Had he not a right, then, to refer to this period? And, referring to it, had he not a right to contend, that the security which the noble and learned lord now demanded, arising from the subsequent exclusion of Catholic peers from that house, was not, in a period of the utmost danger, considered necessary for the safety of those great interests? (*hear, hear.*) Elizabeth found no reason to repent of her conduct. The country was menaced by various dangers in her time, but the noble and learned earl could not show that any danger arose from the course she adopted towards the Roman Catholics. Notwithstanding all the efforts that were made to exclude them, the great body of the peers never thought such a security necessary, and the Roman Catholic noblemen retained the situations to which they had an inherent right from their birth. When the great combination was set on foot against the Protestant religion, headed by Philip II., and aided by the policy of the Pope, did Elizabeth find any reason to repent the confidence she had placed in her Roman Catholic subjects? (*hear, hear.*) Did not the Roman Catholics defend her throne? Notwithstanding the difference of situation in which the two religions were placed, the one lately established, the other deprived of its ancient influence and authority, were not the Roman Catholics most active and zealous defenders of Elizabeth's throne against the assaults of her numerous enemies? (*hear, hear.*) In the time of James I. they continued to enjoy seats in that house, notwithstanding similar dangers which then prevailed! notwithstanding the hatred which James bore to their religion—notwithstanding the controversy he carried on with Cardinal Bellarmine and others—notwithstanding he had described the Pope as Anti-Christ, and Rome as the Babylon of the Revelations. Charles I., plunged into a civil war, partly by his own misconduct, and partly by the misconduct of his advisers, found the Roman Catholics amongst the most vigorous and determined supporters of his own Crown. He now came to the reign of Charles II.; and here the noble and learned earl appeared to have mixed or confounded two laws. The corporation act was passed in the first year after the restoration of Charles II., and that which was passed in the 13th year of his reign was directed against the adherents of Cromwell and the Puritans. The test-act was introduced to keep down the Duke of York and his adherents,—the Duke being the next heir to the throne, and known to be a Roman Catholic. That act excluded from civil and military offices those who did not subscribe the declaration against transubstantiation. It had the effect of removing the Duke of York from all his offices, which was followed by the resignation of the Lord Treasurer. The subsequent conduct of the Duke of York justified all the fears that were entertained of him, and it was also suspected that the King countenanced the religion of his brother. Under these circumstances, that period arrived which gave birth to the "Popish Plot." The noble and and learned earl must surely be struck with horror at the bare recital of the proceedings which then took place, when law afforded no protection, and innocence imparted no security,—when the most incredible tales were supported by the most hideous perjury,—when fears and prejudices were so much stronger than reason, that credit was given to stories so improbable as to excite wonder how men, even under such circumstances, could believe them. The act of the 13th of Charles II. was passed during this alarming state of things. But he would refer to events occurred in the year 1675, the year in which the test act was passed, but previous to the passing of that act. At that time another test, called the Bishop's Act, was proposed. It was sent to this house, but it was resisted, as incompatible with the rights of the peers. They declared that its provisions affected those rights which were inherent in them from their birth, and which could not be taken from them except by the commission of particular crimes. In the course of the discussion on that bill, a standing order was proposed, he believed, in one of the fullest houses that ever assembled, and was carried *nemine contradicente*, without the opposition of a single peer. It was dated the 30th of April, 1675, and ordered that no peer should be deprived of his seat in Parliament, on account of his refusal to take any oath, and it was directed to be added to the list of standing orders. Thus was established the right of Catholic peers to sit in that house; and yet, although this order remained on the journals of the house, the statute of the 13th Charles II. was passed. By whom was that statute proposed and who were its supporters? It was introduced and supported by the very persons who had previously maintained the right of peers to sit in that house, without taking a test, and who did not think it necessary to have the order rescinded; but who, notwithstanding the existence of that order, deemed it proper to exclude from the house peers who were at the time actually members of it. This inconsistency was noticed in the debate, and the most eminent person of that day was reproached with endeavouring to carry a law in opposition to the order which he had himself proposed. What was the inference to be drawn from this remarkable circumstance? No other inference could be drawn from it, but this —that the Popish plot had excited such feelings of terror and dismay, as induced those who were in power to remove from amongst them the Roman Catholic Peers. Those peers had a heriditary right to sit in that branch of the legislature, from which they could not fairly be excluded, except some paramount necessity, such as was then supposed to exist, demanded it. Their exclusion must be founded on, and limited by, that necessity, and by that necessity alone. Taking into consideration all the circumstances of the time—looking to the heats and violences that prevailed, and which deprived the measure of all those sober qualities of collective wisdom that ought to distinguish such an act—a proceeding that should have been solemnly decided, and calmly examined, before it was established—viewing the disturbed character of the period when the law was passed, coupled with its invasion of what had been termed the *sacro sanct* right of the British peerage, never to be deprived, unless for crime, of their right to sit in that house—he now stood before their lordships claiming for the Roman Catholic peers the ancient privileges of the constitution. (*hear, hear.*) He asked for no new concession—he aimed at no innovation—he called for the ancient constitution of that house, bottomed on the principles and the practice of the ancient constitution of the land; and, before he refused the claim, the noble and learned earl must show, that something had occurred at a subsequent period which gave to this law of exclusion that character, which, he must argue, could not fairly be contended to belong to it. The noble and learned lord said, "Setting aside all the horrible perjuries of Oates and of the villain Bedloe, we now come to the period of the Revolution;" and then it was argued that, although the perjuries of Oates had been discovered, although he had been punished for those perjuries, and although none could be found foolish enough to believe in his plot, yet it was found necessary, on strong but very different grounds, to continue this law of exclusion. It was, he knew, continued under the reign of that monarch to whose exertions they were indebted for all the law and liberty which they now possessed. But he was inclined to think that, if some little credit had not been given to the stories of Oates, the act would not have been continued at the revolution. He would maintain, that the revolution stood on principles opposed to that measure; and as the exclusion was kept up at that time, it was necessary to show under what circumstances it was adopted or continued. If it could not be proved that it was continued in consequence of some manifest danger to be apprehended from the Roman Catholics, the mere fact of its being continued would not serve the argument of the noble and learned earl. That the law was utterly unjust, because founded on the perjuries of Oates, and disfigured by the stain of blood which was cast on it by the death of Lord Stafford and others, who were executed under it, he was ready to maintain. Now, with respect to the continuance of this law by their ancestors in 1688, they must look to the motives and circumstances which induced them to do so; always bearing in mind that this was a law of exclusion, which could only be justified by a great and paramount state necessity. If those motives and circumstances could be shown to operate no longer—if it could be proved that no paramount state necessity now existed; then, he contended, the foundation of this law failed, and it could not be supported in opposition to all that was most valuable and most dear to them: for, certainly, nothing could be more valuable or more dear than the sacred principles of the constitution, confirmed and established as it was by the glorious efforts of those who conducted the Revolution of 1688. At that time the fabrications of Titus Oates were fresh in the memory of the people, and a Popish sovereign, who aimed at the religion and laws of the country, was excluded from the throne. His interest was supported by almost a majority of the country; and his object was to establish arbitrary principles, and to remove those laws which were obnoxious to the Roman Catholics. Besides the support of many of the subjects of this realm, the exiled prince was countenanced by the great monarch of France, then in the zenith of his power and authority. He was assisted by all the formidable means of that great potentate, and all the Roman Catholics of that day were attached to his fortunes. It was to these impending dangers, and to the fears which they created, that they must attribute the re-enactment of those laws which were otherwise wholly inconsistent with the principles of the constitution. (*hear, hear.*) But the person who acted at the revolution, and to whom, he repeated, they owed every thing of law and liberty which they possessed, were not impelled by those motives alone; they also maintained opinions of the Roman Catholic religion, very different from those that were held at the present day. Upon former occasions, the noble and learned lord had quoted Locke and Lord Somers: he (Lord Grey) believed that those illustrious persons were not exempt from the prevailing prejudices regarding the Roman Catholic religion: they believed that its professors were connected with the abdicated monarch, and that it involved principles dangerous to society itself—notions which at present no man entertained. The noble earl opposite, on previous debates, had himself admitted that he found nothing immoral in the tenets of the Roman Catholics: he did not think that they sanctioned a breach of faith with heretics, or supported the doctrine that princes might be excommunicated by the Pope, and subjects absolved from their allegiance. From all these charges the Roman Catholic religion had now been exculpated. Looking, then, to the period of the Revolution, he found that there were two grounds on which the exclusion had rested. 1. The danger to which

the government might be exposed by a Popish pretender. 2. That the Roman Catholic religion contained tenets which, in our day, no candid person attributed to it. Did those grounds exist at the present moment? As to danger, it was ridiculous to talk of it—the last miserable remnant of the unhappy race of the Stuarts was extinct. As to tenets, all enlightened Protestants concurred in the opinion that from them there was nothing to be apprehended. He asked them whether, under these circumstances, the obnoxious law ought to be repealed? Could the house, consistently with any principle of justice, or, if not of justice, consistently with any principle of policy, continue it upon the statute book? The noble earl (Eldon) had said that this measure was brought forward without securities—that it was the first time such an attempt had been hazarded, for that all who had hitherto contended for relief had always accompanied it with securities. He (Lord Grey) begged to be excepted from this statement; because if the house remembered any thing that fell from an individual so little entitled to attention, it would not have forgotten that he had many years since stated it as his opinion, that the measure to be satisfactory ought to be unfettered with securities; that they were valuable rather in name than in substance, and that he looked at them rather as designed to reconcile public opinion than as being of any real importance. The noble earl opposite (Liverpool) had also over and over again said, that if he could reconcile himself to the bill at all, he could do so infinitely sooner upon its own distinct grounds unincumbered with securities. But what the supporters of the bill were contending for this day, was not a general measure of relief, but a particular measure which was to extend to Roman Catholic Peers, and to restore them to their privilege of sitting and voting in Parliament, which they had enjoyed from the Reformation to the reign of Charles II. What securities were annexed to the exercise of this right at that time other than those which resulted from the undoubted loyalty of the individuals? Then said the noble earl (Eldon), it will be an anomaly to admit Catholic peers into this branch of the Legislature, and to exclude Chtholic commoners from the other. To this he (Earl Grey) replied, that parliament might stop short here, as on other occasions; and that if it were an anomaly, it had existed from the time of Henry VIII. to the reign of Charles II. For his part he should be most happy to see this anomaly removed—to see Catholics sitting and voting in the House of Commons; but he looked at this simply as a measure of restoration, and he found that in the earlier period of our history the enjoyment of the right had been attended with no danger to the Protestant succession. He called upon the house, therefore, to follow the example of our ancestors, where there existed no cause for the shadow of an apprehension. The noble earl (Eldon) had opposed this bill, also, because he fancied it must lead to ulterior measures. If he (Earl Grey) thought so, he would not disguise it; to do so, was neither consistent with his principles nor his practice; but he felt, on the contrary, that this bill stood alone on its own separate ground, and that it neither would retard nor promote the general measure of relief which he hoped to see ultimately granted. This bill was intended for the benifit of certain Catholic peers, whose merits were universally acknowledged. He would here address himself to the noble lord on the cross-bench (Lord Colchester), who, though he would not admit Roman Catholics to power, would concede to them every thing not inconstent with the safety of the state: if it were shown that the right now contended for could be restored without that danger, on what principle could he persevere in this unjust infliction? The noble and learned earl admitted that one legislature could not bind the other—that the legislature of to-day could not bind that of to-morrow; and he (Earl Grey) could not understand on what principle it was he had contended that this exclusion was so sanctioned by the Parliament of the Revolution, that it could never afterwards be repealed. At the time of the union with Scotland, it was undoubtedly provided that the Lords should take the oath of Supremacy, but only "until it shall be otherwise directed by the British Parliament." Against these words in the statute-book upon the table, he remarked the following words, in a hand-writting which he fancied he knew—"These alterations must not be to weaken, but to strengthen, the securities." (*laughter.*) At all events, it was clear that a possible alteration was in the contemplation of the individual who framed the act of union. In the act of union with Ireland, a similar expression was found—"until Parliament shall otherwise provide."

The LORD CHANCELLOR, in a low tone, made a remark regarding the marginal note of which the noble earl had spoken.

Earl GREY continued. He was arguing on the terms of the act of union with Scotland, and referring to it he found a note in a hand-writing with which he was acquainted. If in noticing it he had acted with any impropriety, he begged to apologize; but as the note was upon the book belonging to the house, and lying upon the table, he had not thought it an unfair matter of observation. (*hear.*)

The LORD CHANCELLOR added, that he did not mean to object to the use the noble lord had made of it: but he had better not read all the notes in the book he had quoted. (*laughter.*)

Earl GREY said that if they were all such as he had referred to, he might be inclined to take the recommendation of the noble and learned lord. (*hear, hear.*) When securities were called for, he would ask whether there were no acts standing emphatically upon the same ground as that now under consideration, in which no securities had been given? The act of 1817 had been referred to, by which every rank of the army and navy was opened to Roman Catholics. He had reason to remember something of that statute, for when, in 1807, a feeble attempt was made to accomplish the same object, it was resisted by the noble and learned lord and others, who, having raised a clamour against it, represented its supporters as the enemies of the law and constitution. (*hear.*) The power of the sword then only was talked of. "What! (said the noble and learned lord) will you give power to the Roman Catholics?—power is not necessary to toleration—the power you offer is most dangerous to the state—it is no less than the power of the sword." Yet, in a few short years afterwards, this very power was given by those who had raised such a clamour against it, and without the exaction of any securities: in the face, too, of the act passed at the revolution, which required that officers in the army and navy should take the oath of supremacy. Having, then, thus opened the army and navy unrestrictedly, he (Earl Grey) put it to the house, whether the dangers from 6 or 8 Catholic peers, of illustrious descent, whose families were of the highest antiquity, and whom their opponents must acknowledge the ornaments of any assembly, were not merely fancied and chimerical? If it were an error in this bill not to contain securities, it was an error with a great example, viz. the act of 1817. It was worthy of remark also, that though the act of 1817 conferred such important advantages upon Roman Catholics, it had led to no ulterior consequences; and whether this bill were or were not passed, the discussion of the general question must take place, and he hoped at no distant period. His lordship concluded by apologizing for having so long occupied the house in hearing arguments urged feebly and ineffectually, but honestly and sincerely.

The Earl of LIVERPOOL was perfectly ready to meet the question, even on the narrow grounds stated by the noble earl. He was the more disposed to do so, because on many former occassions he had stated his opinions on the general question, and he had little doubt that he should have to re-state them on some future opportunity. It was on every account desirable to discuss this bill on its own merits, with as little reference as possible to the more extended measure; but it was necessary in the first instance to ascertain a little how the question stood. The noble earl had said, and of course the statement deserved credit, that this bill was not meant as a step to the general question. Supposing, then, it were to exclude that general question, he would ask whether it was fit if it passed, that nothing esle should be done? If nothing else were to be done, then he admitted that this bill ought to pass: but no measure could be more mischievous to the Roman Catholics than passing this bill, if it were not intended to go further. Those, therefore, who had hitherto been most favourable to concession, ought to be the firmest in their resistance upon the present occasion. Before he stated his specific objections to the bill on the table, he wished to say a few words on the general history to which the noble earl had adverted. No man could hold the conduct of Titus Oates and the Popish plot in greater abhorrence than himself (Lord Liverpool); they only afforded an additional instance of the malancholy effects of faction, confounding the understandings and perverting the feelings of its dupes. Before, however, he came to that date, he would shortly look back to the real state of the country, as to Catholics and Protestants, in the anterior part of that century, and the century before. In the reign of Edward VI. was begun the great work of reformation, by some of the most pious and able men of this or any other country. Its progress was unfortunately arrested by the premature death of the Sovereign; or the Protestantism of the Crown would have been established, as was evident from some of the events, towards the close of that reign. On the accession of Mary, a complete revolution took place, and the Protestants endured the most cruel persecutions; but when Elizabeth came to the throne, the Protestant religion was again established. From that date to the Revolution, the question was never looked at in a general way, as to the connexion between church and state. This fact really solved a great deal of difficulty and unravelled much mystery; for up to the Revolution, though the church was Protestant, the Sovereign was not necessarily so. No law was in existence compelling the Sovereign to be Protestant—preventing his marriage with a Roman Catholic, or giving security to the Protestant establishment of the realm—at least not that great security that it was absolutely necessary that the King should be a protestant. What had been the effect? That James I., that infatuated monarch, though sincerely and zealously a Protestant, had used his utmost endeavours to marry his heir to a Roman Catholic Princess. No event could have been more unfortunate for the kingdom than the marriage of Charles I. with the daughter of Louis XIV. He mentioned this circumstance to show that the question of the connexion between church and state had then never been fairly examined. He believed that it might truly be said, that all the blood spilt in the course of 150 years, was to be attributed to the want of a legal connexion between the church and state. Roman Catholic Peers were not

then excluded, and why should they be excluded, when even the King might himself be a Roman Catholic? Coming down to the reign of Charles II., he had already intimated his opinion regarding Titus Oates, but it was no answer to say that the violence of faction at that time led to great crimes which ended in certain laws; those laws might be good and necessary, however flagitious the events ont of which they arose. Some of the best laws on our statute-book were passed in the reign of the most cruel tyrant that had ever sat upon the throne of England. It did not follow, therefore, that because conspiracy was the immediate occasion of the laws, that the laws themselves were not necessary. He would put Titus Oates and the Popish Plot out of the question, and ask whether, even in the reign of Charles II., there did not exist a conspiracy to overturn the religion and constitution of the country, and with that conspiracy a necessity for this or some other security and safeguard. In former debates, he had always considered this an admitted point; and undoubtedly, whether the law now complained of was or was not a proper one, there were circumstances in the time requiring strong measures. He was ready to allow that it might at the time have been very plausibly urged, that if this principle of exclusion were applied to the peerage, it ought also to be applied to the Crown. But what was done at the revolution? and here he could hardly suppose that the noble Earl (Grey), upon reflection, would contend that the plot of Titus Oates had any influence upon the measures then adopted. The advantage of the Revolution was, that a change of the dynasty led to a complete review of the whole system. What was done at the Revolution ought in fact to have been done at the Reformation —then it ought to have been provided; that the King and his parliament should both be Protestant. Surely the Roman Catholic Peer had no right to complain of not being allowed to sit and vote, when, supposing the King from conscientious motives were to change his religion, he must descend from the throne of his ancestors. (*hear, hear.*) He (Lord Liverpool) should feel no difficulty in saying to the Duke of Norfolk, or to any Catholic peer, all of whom he highly respected, that he had no right to be placed upon a better footing than the King upon the throne: the exclusion from Parliament was not personal; it was the law of the land. Such was the ground he (Lord Liverpool) had always taken on a general view of the subject: he had always stood upon the connexion between church and state, Protestantism being the principle of the law. While it was maintained against the Crown, it must be maintained against what the Scotch act of union termed "the other estates of the realm." The noble and learned earl (Eldon) had truly stated that this principle of the act of Charles II. was renewed and confirmed at the revolution—in the act of union with Scotland—in the act of settlement, and during the reigns of George I. and George II. it was renewed and confirmed also in words, which, though they could not make an act of Parliament eternal, showed that it was considered one of the essential and fundamental laws of the realm. He put it to the noble earl (Grey) whether it was not clear that our ancestors meant it to be a law, not subject to any ordinary changes? The noble earl had said, that the supporters of this bill wanted nothing new—that they only required justice, and that the Roman Chatholic peers should be replaced in the situation they occupied, from the reign of Elizabeth to that of Charles II. What did the history of that period present? That under this old system, in the absence of all security to the church, there were one hundred and fifty years of convulsion and bloodshed: while subsequent to the date of this security, and under the new system, the country had experienced one hundred and fifty years of peace and happiness. (*hear.*) With the advantage of such experience, was it fit again to put to sea to incur all the dangers to which the nation had so long been exposed? (*hear, hear.*) He was to be told, no doubt, that times were changed, and that no dangers were now to be apprehended; but who in the year 1630 would have supposed that in less than 20 years the monarchy would be abolished, and the House of Lords annihilated, after the bishops had been excluded from their seats? Who could foresee what in future might happen, not from the Roman Catholics perhaps, but from other quarters, if this security which time had proved so valuable were at once abandoned? With it the country had enjoyed many benefits, and not the least of these, religious tranquillity; and to dissolve the connexion between church and state would be, to say the least of it, to risk the continuance of that peace. He now came to the bill, to which he objected upon various grounds, and which he thought would be sufficient to induce the house not to adopt it. In the first place, he objected to it, because while it sacrificed the whole principle of participation in the legislature, it did not set the question itself by any means at rest. When his right hon. friend (Mr. Plunkett) last year brought in his bill, it was with the avowed object of a final adjustment. He (Lord Liverpool) had resisted it: but some might think, as it would be the termination of a subject that had excited much feeling, it would be proper to run a risk, and to make a sacrifice: but what could they say to to this bill which left the great and irritating subject entirely open to discussion? He objected to it on principle, also, on this ground:—If the time should ever come when Roman Catholics were admitted into the House of Commons, then no doubt the doors of this house ought to be opened to Roman Catholic peers; but the objection was much stronger when it was proposed in the first instance to introduce Roman Catholic peers into the House of Lords. If there were any thing in the constitution of the house, it was this—that it was the great repository of religion and law—that its members were called together by their writs of summons, "to deliberate on affairs of church and state." The house was most intimately connected with the established church, and both in theory and principle, it must be to the last degree objectionable to admit into it those, who, by their religion, were hostile to the church. On the subject of securities, he must remind the house how it stood. Last year the bill of his right hon. friend (Mr. Plunkett) had by consent been divided into two parts, but it was agreed that they should proceed through their stage *pari passu;* and if the securities were rejected, the privileges were to be withheld. How then could the house now pass so material a part of the whole measure in the absence of all securities. If, indeed, securities were needless, let Parliament have done with the farce; that point being up, the question was stripped of many difficulties and absurdities. He had another objection to the bill founded upon the exclusive nature of its provisions. The subject had now been discussed for more than 20 years, and as a strong argument in favour of concession of the peculiar state of Ireland had always been urged. Debates on the claims of the Roman Catholics had invariably originated in petitions from Ireland, and in this house it had been brought forward by a noble earl peculiarly connected with that island. It had been urged upon every occasion, that it was fit to remove the exclusion for the sake of soothing the people of Ireland. There was not one Irishman throughout his Majesty's dominions who would directly or particularly receive any benefit from this bill. It was a bill, the principle of which applied only to English Roman Catholic Peers. He would call, however, upon those noble lords by whom it was advocated, to say whether the interest of the whole Irish nation—if they really took the interest which they were stated to do (though he considered it was much exaggerated) in the question of Catholic concessions—whether that was not the ground upon which the general measure of relief had been always brought forward of late years in Parliament? (*hear.*) If he (Lord Liverpool) could argue the present as a general measure, he might concur with the noble and learned lord in considering it as one which might be beneficial and advantageous to the Irish nation. But if he was to argue it (as in truth it was) as a specific and isolated measure, could any thing be more galling to Irish feeling, than that such a concession as this was to be made to English Peers of the Roman Catholic persuasion, while Irish Peers of the same faith were excluded from its provisions? But he had another objection to make to it,—though he could anticipate that he should be met by authorities cited from history, and from State Documents. It was this:—he conceived that the showing this favour to Roman Catholic peers, without extending proportionate advantages to Roman Catholic commoners, would not be very much to the honour or the credit of the peers themselves. (*hear.*) Such a partial distinction, it appeared to him, would be obnoxious to all those principles of equity on which the British Government and all other Governments ever acted. He was very ready to admit, that in the reign of Queen Elizabeth, the Roman Catholic Peers had a right to sit in that house: while the other members of the great Catholic body were not eligible to sit in the lower house of parliament. But a reason could be assigned for this distinction: if their lordships considered how little the Roman Catholic commonalty were then known as men of influence or property, and how much they had retired from public business and occupations, their lordships could not esteem it as matter of surprise that there was difference observed. Now he (Lord Liverpool) would readily allow, that because they might make one Catholic concession, it did not necessarily follow that they would concede every thing. They might make their stand at several points···at admission, for instance, of Catholics to hold and exercise commands in the army and navy, or even at admission into the legislature, should that ever be conceded. Their lordships might draw the line, always, at some definitive point: but at what imaginable point could they draw the distinction between the stand which they would take in respect of concessions to the peers, and that which they would take in respect of concessions to the commonalty of the Roman Catholic persuasion. Such a line their lordships might have drawn at some former period, because a distinction of this nature did once exist as between the peers and the Crown of England. But on what principle could it rest now? He had been always taught to believe, that though the possessions and privileges of the different classes of the British community might be different, yet their respective rights to them were the same—were equal. (*hear, hear.*) He had been taught to believe, that in this country, the right of a poor man to his hut or his cottage, was the same, and was as binding, as that of any of their lordships to his mansion or his castle. (*hear, hear.*) He had been ever instructed, that the right of a magistrate to exercise his functions within the borough or jurisdiction which the law assigned to them, was as good as that of the King to his throne; and he maintained that this equality of right, so far from weakening the title of the rich man to his possessions, was, in effect, its greatest security: for the rights of rich and poor stood all of them on principle. Though the property might be of different value, the rights were alike. This reasoning he begged to apply to the case before their lordships. He should say that the right of a commoner to be elected was of the same force as that of a peer of England to sit in the House of Lords. (*hear.*) Both rights,

indeed, might be explained and qualified for the public benefit, according to the wisdom of the legislature. Both rights might have conditions put upon them: thus tests might be attached to one of them, but not to the other, if the distinction should appear to be justified on public principles. But on what principle could their lordships say—"We will not object to a peer's sitting amongst us, though he does acknowledge a foreign jurisdiction in some matters of spiritual concern; but we will object to a commoner's sitting in Parliament, under similar circumstances." (*hear, hear.*) Could any thing so invidious, so monstrous, so unjust as this, be successfully proposed in modern times? Was it not the boast of our aristocracy, that though they possessed high privileges, they were so possessed for the benefit, not for the injury, of any man? If their lordships looked to the nature of the duties and privileges which belonged to them, they would find that the concerns of religion were especially theirs. Now, if it was the right of any branch, surely it was the right of this branch of the legislature above all others, to require from its members some tests that they were attached to the present established church; or, if not, to whatever might be the religion of the land at the time. Again he asked upon what principle would their lordships draw a distinction in favour of the Catholic peers to the prejudice of the Catholic community of the realm? The noble lord had said, that it was right to pass this bill, even should they go no farther in the business. But he (Lord Liverpool) firmly believed, that a more serious evil could not befal the country than to pass the bill, even assuming that their lordships should proceed no further: that if they should pass this bill, and then take their stand against further Catholic concessions, it would, in that case, still be the most impolitic and mischievous measure imaginable. What could be a more invidious concession, than a favour of this sort, especially to the Roman Catholic Peers? On every ground, he (Lord Liverpool) objected to this bill. It was not calculated to effect any certain advantage; it settled nothing: it left the whole question precisely where it was before. It did no good to that great interest; the welfare and protection of which had hitherto been assigned as the grand objects with which the general Roman Catholic question was brought forward in parliament. All that it offered was a most unwise and most invidious distinction between the peers and the commonalty of a particular church. In a more early period of our history such a measure might have been justified; but it would have been under circumstances widely different from those of the present day. He had already stated the difference in the relative position of these two classes under a former reign: and he now entreated, not only those noble lords who usually supported him in the opposition he felt bound to make to the Roman Catholic claims generally; but he entreated all those noble lords who advocated those claims, to put these questions to themselves, to lay them closely to their own bosoms —"Whether, by supporting the present bill, they were doing any good to the general cause?—whether they were in any way advancing it?—or whether they were doing any thing else but beginning, as it were, at the wrong end?" The question into which the consideration of this measure must ultimately resolve itself—the question to which their lordships must come at last was, whether Roman Catholics generally should be admitted to have a share in the legislature, or not? On this point, momentous as it was, he had already given his opinion. He thought that the concession of such a privilege would be most impolitic and dangerous; but to confine it, as this bill proposed to do, to Roman Catholic peers, and to exclude from all participation in it the Roman Catholic commonalty, would be equally dangerous and impolitic, and infinitely more inequitable and invidious. (*hear, hear.*) On these grounds he should oppose the second reading.

Lord GRENVILLE commenced his speech by adverting to the frequent occasions upon which he had felt it his duty to address their lordships upon the question of the Catholic claims. Feeling, moreover, extreme disinclination at all times to trouble their lordships on any subject, least of all would he have wished to obtrude himself upon their attention with respect to this. The grounds, however, which his noble friend (Lord Liverpool, we believe) had stated as those upon which he founded his opposition to the motion, were of such a nature as to have imposed upon him (Lord Grenville) the necessity of entering his protest against the doctrines which they laid down. His noble friend had called upon those lords who, on former occasions, had been the friends of the general measure, to consider whether any advantage could be derived to it from the success of this? He (Lord Grenville), as one of those who had always been favourable to the concession of the Catholic claims, believed that, from passing this bill, the greatest of all benefits would accrue to the country—the benefit of doing justice. (*cheers.*) In comparision with this, he set at nought all which they had heard in the way of precedent and authority; all the statements and the documents which had been quoted; all the penal enactments for which the Statute Book had been referred to, whether these enactments were contained in this or that form of words. His answer to all this was, "Be just, and fear not." If it was true that six individuals only were aggrieved, or that this bill was brought in to meet the case of one individual only, and whether that individual was the highest or the lowest in the country, in such a case he should say, as he now said in this—their lordships were not at liberty to entertain all their inferences and suppositions—they were not liberty to legislate upon what next might come to pass; or to speculate, hypothetically, upon what measures they were to take in consequence, and then adhere to penal enactments founded upon them. Let their lordships hesitate and pause as they might, here, it was impossible that they could stop. He (Lord Grenville) considered the general question as it was called, as a question of a large and exclusive property—as a question, his opinions upon which were borne out by those of the wisest and greatest men of this age. But their lordships had it in their power, by looking at it in its true light—by considering it maturely —by divesting their minds of all that visionary terror which it had that night been attempted to throw around it (*hear, hear*)—to confer upon the British empire the greatest imaginable benefit. This question he viewed as a question of distributive justice. He considered himself as sitting in that house, on the present occasion, not merely in his judicial and deliberative capacity, as a peer of parliament—exercising, undoubtedly, a high and important function; but as sitting with their lordships to distribute strict justice. But in this capacity, could noble lords assume a right of discussing, and of deciding by their own judgment and sentence, what Peers should or should not sit in the House of Lords? They had evidently no such right. (*hear, hear.*) There were two grounds, and two only, upon which it was possible, by any power or authority known to the constitution of this country, to divest a Peer of England of his right to sit and vote in that house. The first of these, was, conviction of any offence, of such enormity as might seem properly to incur this penalty; the second, such a ground of overwhelming state necessity as might justify the taking away from a Peer the heriditary and constitutional rights in question—rights which were as clearly defined, and in principle as inviolable, as any that could be devised. He repeated, that this was not a question of what was proper to be done, as to the precautions to be taken. He contended that it was not competent to noble lords to view it in any such light. He was speaking in an English house of lords, in which every Peer had a right to say,—"I sit here by a privilege which I hold—not as a matter of permission or favour, but as a right, co-ordinate with the constitution itself, and not depending on the discretion of any one." The question, then, for their lordships was, whether the rights of those peers—derived under a title so ancient and indisputable, and vested in them quite as clearly as any rights known to the state could be—rights which had been wrested from them by the grossest fraud and the most violent injustice—should or should not be withheld from the parties? He (Lord Grenville) felt himself bound to restore to these injured individuals, the rights of which every candid man must feel that they had been originally most iniquitously deprived, upon evidence the most false, incompetent, and flagitious that ever perhaps was accepted in any age or country. The question was, therefore, whether noble lords at this day would hesitate to restore such rights to their possessors, from whom they never could have been wrested but on pretences as wicked as they were insufficient. His noble and learned friend had asked, how they could ever infringe upon the law so much as to admit these Catholic peers into their house. But where was the law which excluded them? No such law ever passed. It never could have entered into the mind of man to attempt to pass one of the kind. Admitted they might still be; but their admission would be accompanied by certain tests, which perjury and iniquity had caused to be imposed upon them—tests which were required to be taken in those times, when various other restraints, disabilities, and penalties operated on the Roman Catholic community; and tests, so repugnant to the spirit of their faith, that no one would dare to propose them to a Roman Catholic. He (Lord Grenville) denied, therefore, that any such consequence as had been anticipated would necessarily follow upon admission of Roman Catholic peers into that house. He well remembered to have heard it on a former occasion asserted, with an eloquence which he would not attempt to follow, that to annihilate these tests would be to annihilate every distinction that existed in the state. But it was not the province of their lordships to press these strange doctrines, or to sanction these wild and sweeping propositions. He was disposed to think, on the contrary, that some of the most destructive principles which were now developing themselves out of doors, some of the most alarming theories that at present agitated the public mind, and kept the passions and the fears of men in a state of feverish anxiety, arose from similar vain and unstatesman-like attempts to reduce the whole operation of the British constitution under some of these sweeping maxims. He confessed that, whether this bill should pass or not, he was quite at a loss to know on what grounds noble lords could justify the continuance, even for one year longer, of those restrictions and disabilities which were at present imposed on so large a portion of the people. Their termination, under every principle of policy or justice which could be adduced in argument, was indispensable. (*hear, hear.*) Much had been said on the subject of securities; and to him (Lord Grenville) it seemed that there existed in the minds of some noble lords that sort of idea, as if there were something in the abstract name of securities, existing certainly independent of those dangers against which they had originally been provided. When this measure was new, and little agitated—when it

was just introduced and explained in Parliament---undoubtedly there existed a great desire to provide adequate securities to meet all possible dangers, if these dangers, could be shown to exist. But he was free to say, that upon an hour's consideration of the subject, the wonderful changes which had taken place since the year 1801 (the period he alluded to) had so completely altered his (Lord Grenville's) opinion about securities, as to induce him last year to declare (and the house would permit him to repeat the observation) "That if the bill of last year had come up from the Commons without securities, his voice would have been heard in that house, and his humble endeavours would have been used, to dissuade their lordships from adding to it any thing of the sort." On the other hand, while he saw nothing wanting in the thing, and was therefore perfectly willing to pass the bill without any securities, yet, seeing that a great many of his fellow-subjects thought differently on the matter, and being sensible of how great importance it was, whenever the bill might pass, that it should not be the triumph of one party of men over another, but rather the bond of conciliation and common friendship between them, he thought, that if by the adoption of any securites that should not trench too deeply on the great principle of the measure, their objections might be removed, and their apprehensions quieted, who now viewed the measure with disgust, it would be well—and he should recommend their passing the measure with these additions, provided it was framed with that mature and prepared deliberation which might be most likely to render it complete and efficient, and so as to make it an offer, as acceptable as possible, of peace, conciliation, and union to that particular part of the kingdom, which Heaven knew was much in want of any thing of that sort. His noble friend had objected that the present measure was not calculated to set the general question at rest. Undoubtedly it was not. (*hear, hear.*) It would have been disgraceful to the candour of the originater of this bill in the other house of Parliament, if he had held out any hopes that it would have such an effect. For himself, so far from indulging any expectation of the kind, he (Lord Grenville) earnestly entreated their lordships, that if any one of them felt disposed to support the bill under an impression so false and mistaken, he would now dismiss it from his mind. Let such noble lords be assured, that where the policy and wisdom of a great measure were so evident, there was nothing but the full concession of it which could set it at rest. If they looked at the measure fairly, and face to face, before it was too late, they might confer a great advantage on their country. They would be doing to day what they should indeed, have done before; but let them remember that every day's delay decreased the possibility of effecting any good. He had already stated what was the nature af the act which the present bill went to repeal, and what were the two grounds upon which alone the exclusion of peers from Parliament would be warranted. He should now enquire what was the original character of the bill: for he could not suppose that their lordships would take up an injurious opinion against illustrious and suffering individuals founded on the worst of authorities. Nor would they, with the noble earl opposite, while they professed themselves convinced of the perjury of Oates, and while they protested their abhorrence of his detestable conduct, perpetuate the wrong which they had generated, because it might have been found covenient in practice. That memorable plot—the most detestable ever heard of—had subjected some of those individuals to the loss of life; others to the loss of property and rank; ad their descendants to the loss of a privilege, the highest which in this country a man could possibly enjoy. Their lordships, surely, would not say "This is indeed a wrong; but we will continue it, because our ancestors have permitted it." (*hear.*) And these, forsooth—these precedents had been looked over. (*hear.*) To acts of injustice the great names of the country in times past were to be attached, to give strength to an argument feeble from its want of principle—of every principle of morality: however, the injury being once acknowledged, the blame and dishonour of it must attach to their lordships thenceforward, and as long as it remained unremedied. Their attention had now been called to it. Titus Oates was allowed to have been the author of the evil; but if, after the introduction of the bill now sought to be repealed that evil had been continued, without the plea of misrepresentation or of necessity, then the preceding Parliaments had to account for the wrong they had committed in continuing it down to the present day. But if their lordships, after the debate of that night, permitted the mischief to remain still unredressed, it was not Titus Oates, it was not Lord Shaftesbury, it was not the profligacy of the minister of Charles II., or of George I., to whose account the injury must be laid; but it was to the House of Lords of the present day that the imputation must attach. (*hear, hear.*) The noble earl (Liverpool) had admitted the infamy of Oates in his argument, and had allowed the injustice of his accusations. "It is," said the noble earl, "an ugly stain to be sure: but look at the Revolution, and those who achieved it. Did not they sanction this exclusion?" He (Lord Grenville) admitted the fact. To those persons the aggrieved parties might have looked for redress in time gone by; but it was for the noble lords whom he was now addressing to reconcile to their own breasts, if they could, the injustice of permitting this persecution to exist one day more. He had no hesitation in saying, that even under the circumstances which the noble lord had put he could not allow that the liberties of the country had ever been endangered by the Catholics, not even under the impending danger of a Popish priesthood and a Popish succession—even though the Popish peers had been the sole actors and authors of the Popish plot (if any such plot had really existed;) and that, too, was the case not as it had been falsely stated, of Popish peers conspiring against the rights of the Crown, but of a plot of the Crown conspiring against its protestant subjects, and the establishment of the Protestant Church. The best security which could be taken our ancestors arranged during the reign of Charles II., and adopted under that of James II., by driving the latter from his throne, and thereby cutting off the hopes of himself and his posterity. This was applying a real security against the dangers which they apprehended. In the agitation which ensued, it was not to be wondered at if they overlooked the injustice of perpetuating an odious proscription against individuals who were no parties to the acts which that proscription was intended to punish. The experience, not of the reign of Elizabeth or Mary only, might have approved their fidelity; but the reigns of James I. and Charles II. showed, that whatever dangers might have surrounded the throne at any time, there was no moment at which any danger had arisen to it from the law of Queen Elizabeth, which restored to Catholic peers their theoretical and positive right of sitting and voting in the House of Lords. Whatever dangers did exist, no security surely was ever obtained from excluding the Roman Catholic peers from Parliament. If it was necessary to prove this, and to prove how loyal and good subjects they were, he (Lord Grenville) would advert to the manner in which the Spanish Armada, after alarming the fears of all Europe, was defeated and destroyed by those brave Catholic commanders who vindicated the ancient fame of England, while they sealed their fidelity to a Protestant mistress with their blood. But it was curious to inquire, as to the Popish plot of James the First's reign—the gunpowder plot—whether it was directed by Catholic members of parliament (as had been said) against the Sovereign and Parliament of their country, or by disaffected individuals against Catholic members of parliament: for the house would remember that the timely discovery of that plot was owing to the unwillingness of some unknown conspirator to sacrifice the life of one Popish lord. After some further observations, the noble lord concluded his speech by declaring that this was a question of right to be done, which their lordships had too long delayed to do. It was because the question had been treated as one of mere expediency, instead of one of distributive justice, that he had, contrary to his first intention, detained the house thus long in stating the grounds on which he should support the second reading of this bill.

Lord REDESDALE contended, at considerable length, that the legislature had the same rights to exclude peers from the House of Lords, as to exclude private persons (being Catholics) from seats in the house of Commons. One of the first duties of the legislature was to protect the religion of the state; and yet it was now proposed to introduce into the highest assembly of the country, persons who must of necessity be hostile to that religion. The question was a simple question of expediency—a question with which neither right nor justice had any thing to do. If the law as it stood was a hardship upon the subject, in how much greater a degree was it a hardship upon the sovereign. The individual who filled the throne was bound to be of the established religion of the country; but all that was demanded upon admission into the legislature, was that the individual should not be of the Roman Catholic religion. It was as unjustifiable to introduce Roman Catholic peers into the House of Lords, as it would be to take out of that house a certain number of the bishops, and supply their places with persons adverse to the Protestant interest. And in what an anomalous situation did it place the Sovereign of the country? Catholics being once admitted into the legislature, the King might be placed in this situation—he might have laws and measures tendered to him by his Parliament to which his oath and his duty made it impossible for him to assent. He (Lord Redesdale) did feel himself bound most strenuously to oppose the bill. If James the Second could have prevailed upon his Parliament to have sanctioned such a measure, he might have succeeded in overturning the constitution of his country. His firm conviction was, that if the present measure was carried, the Protestant establishment of Ireland must fail: he had no other dependence for the security of this great country than upon a Protestant succession and a Protestant legislature.

Lord HOLLAND rose amid cries of "question," and was for some moments nearly inaudible. The first point which we caught was a wish from the noble lord that, before he proceeded to answer the observations of those peers who had spoken against the measure, the 71st standing order of the house should be read.

The order was accordingly read by the clerk. It provided that no oath should be imposed, by bill, or otherwise, upon a peer with penalty attached in case of refusal, that he should lose his place in Parliament, or privilege of debating.

Lord HOLLAND then proceeded. He should probably be compelled to advert, in the course of his speech, to the circumstances which had dictated that 71st order of the house; and he had desired that it might be read, because it placed the present question before the eyes of noble

lords in its legitimate point of view. Placed upon the only footing on which the house could properly decide it, the question came precisely to this—whether the time was yet come when it was safe, just, or proper, for the house to restore to its members the unconditional exercise of their privileges? It stood recorded upon the standing orders of the house, that it was the undoubted privilege of the members of the house to exercise their rights without any condition at all. To debar peers in any case from the exercise of those rights, was a departure from the declared constitution of the country, which could only be justified by absolute necessity. Then the onus of showing that necessity was cast upon those who objected to the present bill. Those who denied the right were to show the danger attendant upon its exercise: it was not the advocates of the present measure who were bound to show that the danger did not exist. But it had been said by noble lords, that the passing of the bill would involve an anomaly in our parliamentary system. What! talk of an anomaly in that system which was an anomaly throughout? An anomaly in the system of exclusion? Why, were not Presbyterians already admitted to privileges in Scotland which the law prevented them from enjoying in England? Did not the Catholics of Ireland enjoy rights which were not enjoyed by the English Catholics? What! with laws of such a nature, were we so dreadfully afraid of one anomaly? Why, the very exclusion of the Catholics was but the work of chance; and probably thousands who were now incapacitated were not aware of the point upon which their exclusion really proceeded. But the noble lord upon the woolsack said, that if the bill was passed—a bill which was to admit into the house six of the most respectable persons in the country, persons whom even their opponents had scarcely been able sufficiently to praise—the noble and learned lord said, that if this bill passed, he should think that he had outlived all the laws of his country. The mischief which these six peers were to do was incalculable, they were to produce a bull from the Pope upon a sudden from under the table, and to destroy, at one blow, the religion and the constitution of the empire. Much stress had been laid upon another alleged anomaly—that the bill would introduce a qualification for the House of Lords different from that which was necessary in the House of Commons. A different qualification! Why the qualification was different already. A reverend bishop might sit in the House of Lords, who could not sit in the House of Commons. Again, it was said that if the measure was passed, the grant of the elective franchise to the Catholics must follow. Why, the Catholics of Ireland had the elective franchise already. Noble lords talked of dreading anomaly: why it was impossible to turn a step in the existing system without encountering the grossest anomalies. The noble earl (Liverpool) treated the admission of Catholics to the House of Peers as still more objectionable than their admission to the House of Commons. The House of Peers (said the noble earl) were the great guardians of law and state; it was their duty to debate of matters connected with church and constitution. Why, the very same words which described the Parliamentary duties of peers were found also in the oaths for members of the House of Commons. Both were bound, by their oaths to consider—*de rebus ad nostrum regnum, et nostrum ecclesiam pertinentibus*. The noble and learned lord upon the woolsack had stated to the house that no measure upon the Catholic question had ever before been introduced without the mention of securities. It was not astonishing that what had emanated from so humble an individual as himself should have escaped the recollection of the noble and learned lord; but he (Lord Holland), in the year 1799, soon after the house enjoyed the advantage of the noble and learned lord's accession, had moved to refer the act the 30th of Charles II., and the act of the 1st William and Mary, to a committee, with a view to their being modified or repealed. Now, that motion had been met, not openly, by a negative, but with the previous question. And why had not the noble and learned lord opposed that mode of treating the subject? Why had he not risen to put a negative upon the proposition altogether? Why had he endured to hear talk of future discussion upon a measure which was to overthrow all the establishments of the kingdom? For himself (Lord Holland continued) he set no great value upon securities; but if it were denied that securities existed, he should say that the house had both technical and real ones. If he were asked where were his securities, he should say—on the bench opposite (the bench of bishops). As the mother of the *Gracchi*, being asked for her treasures, pointed to her children, so he (Lord Holland), if he were asked for his securities, should point to the sixteen Scottish peers, and to the right reverend body opposite to him. The bill before their lordships, whether they thought it founded in just policy or not—whether they thought it safe or not, was, as it had been passed by the house of Commons, at least one which ought to be treated with some respect. The noble and learned lord who spoke last had insisted on the necessity of securities, and what the noble and learned lord had said on that subject reminded him of the securities which that noble and learned lord had introduced into a bill for the relief of Roman Catholics. Let the noble and learned lord look to his own bill for the securities he required. A clause in one bill which had been passed contained permission to Catholic peers, on taking certain oaths, to approach the Court, and then give advice to their sovereign. The 5th of Queen Elizabeth, under which Catholic peers still continued to sit in the House of Lords, had passed under the declaration that her Majesty had other means of knowing the loyalty of her peers than she had of her commons; and so it might be said with regard to this bill, that the present sovereign had other means of ascertaining the loyalty of his peers. All that could be required from Roman Catholic subjects was, that they should be good citizens. Their lordships would find this question illustrated by reference to the debates of that house in the reign of Charles II. He would recommend to their consideration an order which was introduced by Lord Shaftesbury, and drawn up either by him or Mr. Locke. A very considerable number of Catholic peers, about 19, took part in the debate on the Test Act, on the side of Lord Shaftesbury, against that unconstitutional measure, which passed in 1678. The recollection of the order he had formerly introduced in 1617 was then brought under his notice. It was said, "How come you to support measures so inconsistent?" Lord Shaftesbury did not deny the inconsistency, but observed, *leges posteriores anteriores abrogant*. A noble baron had properly described the object of the act of exclusion. It was intended to guard against the danger apprehended from a Popish king and a Popish succession. In such times the enactment of such a law would have been proper, for the kingly office was a trust held for the benefit of the people; and the friends of liberty felt that they were in a situation which rendered such measures indispensable. For the sake of general security, persons distinguished for puritanism and considered as favouring republican government, were willing to accede to a mixed monarchy. Martin and Birch, two of the most violent men of that parliament, said they did not like this act. They did not wish tests to be imposed upon members of parliament; but the danger to be then apprehended was of a different kind, and therefore, as they could not pass the act of exclusion, the test act was the only security. King Charles, on the 9th of November, stated from the throne, that he would accede to any precautions that Parliament might think necessary, if they did not interfere with the succession. It was then that the measure introduced by Lord Shaftesbury was resorted to as a substitute. The noble and learned lord omitted to notice different bills which had been passed about this time, and proceeded to the Bill of Rights, many of the provisions of which, a noble and learned lord had on other occasions thought fit to be modified. The Bill of Rights consisted of three parts—first, the assertion of ancient and immutable rights; secondly, the declaration of what had been done in support of them; and thirdly, some positive enactments for their future security. One of the charges against King James—one of the things which he was stated to have done, and which he had no right to do—was the disarming of Protestants and the arming of Papists. One of the ancient and indubitable rights thus violated was the right to take up arms. The noble and learned lord said, that the bill of rights must not be touched; but did he admit this doctrine of resistance? The noble and learned lord had quoted the words of King William relative to the Test Act, but he had omitted the most important part of what was stated by that sovereign. He had said, that if the King of England was not a protestant, he thought that bill could not be repealed. The great man, therefore, who accomplished the Protestant revolution, did not think it necessary to Protestant government. Did the noble and learned lord who contended that the Bill of Rights could not be violated, recollect that that bill declared that parliaments ought to be frequently holden. By "frequently holden," annual or triennial parliaments were meant. They were afterwards made triennial, and next came the septennial act, which was the greatest innovation ever made upon the Bill of Rights. The violation of the Bill of Rights would, then, be no argument against the present measure, even if the exclusion of Catholic peers had made a part of the bill, which it did not. The Act of Settlement had also been referred to. By that act the King was not to go out of the kingdom. It was also provided that no persons holding pensions from Government, and no placemen, should be allowed to sit in the House of Commons. Had these provisions been adhered to soon after George I. ascended the throne, the Act of Settlement was repealed, by his being permitted to leave the country. An act of parliament was passed, appointing Lords Justices of the kingdom to act in his stead. After the King had left the country, it became a question whether the Test Act might be repealed. The ministers were asked whether, in the case of a bill passing for that purpose, the Lords Justices would notify the royal assent to it. The answer was, that no opinion could be given on this subject. It was afterwards asked whether they would give the assent to the act of uniformity. The answer then given was decidedly in the negative. It appeared, therefore, that in the opinion of the government of that day, the Test Act for which the noble and learned lord so strenuously contended, was not considered in a constitutional point of view so fundamental a measure as the act of uniformity. The preamble to the Test Act states the object of that act to be, to give force and effect to the laws against Popish recusants. Now it happened singularly enough, that almost all the laws to which the Test Act was intended to give force, had already been repealed, and repealed, too, by a bill introduced by the noble and learned lord who was so much attached to this Test Act. He had always heard from the noble and learned lord that he considered these penal exclusions an evil, and one which was only to be justified by necessity. He

had heard him say, that what necessity had created necessity should limit; then if necessity had occasioned the whole of the law, that part which did not apply to the circumstances of the present times ought to be repealed. The house had often rejected general questions for the relief of the Catholics, but this now came before them in a more favourable shape. There was no anomaly in the measure. The exclusion of Catholic peers, he had shown, was no fundamental part of the constitution of this kingdom. It was said that the object to be gained was trifling; but he could not help thinking, that to the Catholic gentry of this country it would be a considerable gratification to see their religion represented in that house. The introduction of six or seven peers into that house, although in produced no political alteration, yet would be of great importance in the way of conciliation. The noble lord on the cross bench (Lord Colchester) had said that he respected the Roman Catholics, but it appeared that he would treat them only as children. He would indulge them with ribands and baubles, and even allow them to march at the coronation, but he would not admit them to sit in Parliament. The noble lord must have studied the constitution of this country, and he surely ought to have learned from it, that there was no security for toleration without political power. He had alluded to many things as going on in this country, and it was extraordinary how he who had been out of the country, should be so well acquainted with what was done in it by the Roman Catholics, of which persons living here were perfectly ignorant. The manner in which he proposed to treat them was rather singular. On one side he laid before them a large dish-full of indulgencies, and on the other another full of coercions and restrictions. It had been objected to this measure, that it was partial; but that could not be a reasonable objection; for ever since Parliament had begun to ligislate with respect to the Roman Catholics, all the measures adopted had been partial. He would conclude with an observation which he thought very material to the question. All power, whether conferred upon a king or upon a placeman, was intended for the good of the people. The people had said that they could not with any security or confidence intrust their interests to a Catholic. When, therefore, a monarch became a Catholic, they said he shall no longer be our King - he shall forfeit by his conversion his right to the throne, and another shall take his place. But the people who said this in the case of the King, had not so decided in respect to the excluded peers, for whose admission into parliament the bill was introduced. They had not destroyed, they had only suspended their rights. They did not pass a bill of attainder against them, and deprive them of their property and rank—they only said that in certain circumstances it was not expedient that they should exercise their legislative functions. The nation, therefore, which passed the act excluding the Peers, without attainting their blood or transferring their privileges to others, for being Catholics, and which deprived the King of his throne for being so, intended to treat differently the religious opinions of the Sovereign and the Peer, and meant to suspend, not to annul, the privileges of the latter.

After his lordship had concluded, the question was loudly called for' and the house divided, when there appeared—

Content, present,	80	proxies, 49	—total, 129
Not-Content,	97	proxies, 74	—total, 171
Majority	17	25	42

The bill is therefore lost.—Adjourned at ONE O'CLOCK.

HOUSE OF COMMONS, FRIDAY, JUNE 21, 1822.

THE WARHOUSING BILL.

Mr. WALLACE, for the convenience of the house, and of persons out of doors, begged leave to state the course which he intended to pursue with respect to the warehouseing bill. The house must be aware that he had on several occasions been most anxious to forward the progress of the bill, which at present stood for a second reading. From the great quantity of business before the house, he found it would be impossible to pass through its several stages until the beginning of July—a period too late, he feared, to permit the measure to go up to the House of Lords, and be discussed there. He therefore, reluctantly, had come to the determination of postponing the bill till next session. He wished it, however, to be understood, that he was now, as he had always been, fully convinced of the advantages which were likely to result to the commerce, manufactures, and every interest of the country from the adoption of the measure, and he gave the most distinct pledge that he would take the earliest opportunity in the ensuing session of again bringing it under the consideration of the house. The right hon. gentleman concluded with moving, as an amendment to the order of the day for the second reading of the bill, that it be read a second time tiffs day three months.

Mr. RICARDO regretted that the right honourable gentleman intended to withdraw the bill, the operation of which he (Mr. Ricardo) believed would be found to be extremely beneficial to the general interests of the country. He hoped the right honourable gentleman would redeem the pledge which he had given, to bring forward the measure next session. He begged the right honourable gentleman would take into partienlar consideration the state of the silk trade, which at the present moment was labouring under peculiar disadvantages. He believed that if that trade received proper encouragement, it would be able to compete with foreign countries. It appeared to him that our silk-manufacturers were not so much injured by the competition of the fair trader, as by the contraband dealings, which were the result of the high duties imposed upon importations. Another great grievance which affected the silk trade was the Spitalfields act.

Mr. ELLICE felt obliged to his honourable friend, the member for Portarlington, for having directed the attention of the right hon. gentleman to the state of the silk trade. He trusted that, previously to the measure being brought forward again next session, the right hon. gentleman would be able to announce the intention of ministers to reduce the duties upon the raw material, and take other steps to protect the silk-manufacturers from the danger to which they would be at present exposed by foreign competition.

Mr. GRENFELL also expressed his regret that the right hon. gentleman had abandoned the further prosecution of his bill, because he was of opinion that the disscussion which would have taken place upon the measure would have removed from the public mind the false impressions which existed with respect to it.

Mr. WALLACE, in reply to what had fallen from hon. gentlemen opposite, stated that in the interval between the present time and the next session of Parliament, the silk trade would become the object of his most serious consideration. He agreed that at present the trade was suffering under peculiar privations, not one of the least of which was the being debarred the advantage of free labour.

After a few words from Mr. LITTLETON and Mr. DAVENPORT, the motion of Mr. Wallace was agreed to.

The New South Wales' acts bill passed through a committee, and the report was ordered to be received on Monday.

Law Report.

COURT OF COMMON PLEAS, FRIDAY, JUNE 21, 1822.

IN RE ISAACKSON, CLARKE, AND BROOKS.

Mr. Sergeant VAUGHAN moved for a rule to show cause why the names of Isaackson and Clarke, two attornies of this Court, should not be struck off the rolls, and why a person named Brooks should not be attached, for contempt of Court, for having acted as an attorney of that Court, without having been admitted. The learned Sergeant grounded his application for a rule upon a long affidavit, which detailed the proceedings of a trial that took place in this Court on the 12th instant. It appeared that a publican, residing in Bow-street, brought an action against Brooks, to recover a sum of money which had been deposited in his hands as the attorney to the publican. The latter, it was stated, had intrusted Brooks to bring an action for the recovery of a sum of money, which sum was recovered, and paid into his hands, and to get it out of them the publican brought his action. Brooks pleaded in defence to that action, that he was not an attorney, and that he was but the clerk to Mr. Isaackson, in which capacity he had received the money, and paid it into the hands of his master, Mr. Isaackson, and that therefore he was not liable. In answer to this defence, evidence was called for the purpose of proving that Brooks had for years acted and done business as an attorney, in Broad-court, Longacre, where is name alone appeared upon the door, and where no person but himself was ever seen acting, and that he was the only person known by the witnesses there for years, and always known as an attorney. In reply to this case Isaackson was called for Brooks, and he swore most positively that the offices in Broad-court were carried on by him, and that Brooks was only his managing clerk. Some evidence was produced to prove that Brooks had been the managing clerk to Clarke, the attorney moved against, until he became bankrupt. A document was put in evidence which was an appointment by the publican of Isaackson for his attorney in the case, and purported to have the signature of the publican. A variety of facts came out in the course of the cause, however, which weakened the testimony in behalf of Brooks, who, it appeared, was the reuter of the house, and was the petitioning creditor as well as assignee to the estate of his pretended employer, Clarke. In fact, sufficient was shown to induce the jury to believe that Clarke and Isaackson were the mere names under which Brooks carried on business as managing clerk, and that they had no real share in the business, but merely lent their names to him for the purpose of enabling him to act as an attorney of that Court. The affidavit charged, that the document, purporting to be an appointment by the publican of Isaackson as his attorney, was a forgery. The Court, however, ordered that part of it to be struck out, as they had no power to try the fact. The learned Sergeant submitted that a rule should be granted to show cause why the two attornies, Isaackson and Clarke, should not appear under these circumstances to answer the interrogatories put to them, and why they should not be struck off the rolls, and, as against Brooks, why he should not be attached for contempt.

The Court, after having heard the case at great length, granted the rule to show cause.

Postscript.

Having delayed this last Sheet till the Letters and Papers by the COLDSTREAM reached Town, we have just room to state that we have received our regular Files to the 4th of July only, and as the Liverpool Ship brought us Papers to the 2nd of that month, we find nothing in those of the 3rd and 4th of sufficient interest to deserve particular notice, if we except the arrest of 14 individuals in Ireland on a charge of high treason as mentioned in the TIMES of July 3, and the departure of the French Ambassador from Madrid, which was in great commotion, as communicated in the TIMES of July 4. If we receive any later Papers than these, we shall lose no time in communicating the contents to our readers.

The following is a List of the Passengers by the COLDSTREAM as issued from the Bankshall:

List of Passengers by the H. C. Extra Ship COLDSTREAM, *Captain George Stephens, from London the* 1st *of July, and Cape of Good Hope* 17th *Oct.*

From London.—Mrs. H. G. Becher, Mrs. Mary Duncan, Mrs. Jane Cooper, Mrs. Margaret Wilson, Misses Mary Ann Cumberlege and Eliza Duncan, Master John Wilson, Lieutenant Colonel Udny Yule, C. B., of the Bengal Establishment, Lieutenant Colonel Nathaniel Cumberlege, ditto, Major George Becher, ditto, and Captain John Duncan, ditto; Mr. M. J. Tierney, Writer, of the Bengal Establishment; Mr. Edward Penton Thompson, Writer, of the Madras Establishment; Messrs. William Dent Asperne, and George McRetchie, Free Merchants; 230 Honorable Company's Recruits, 13 Women, 3 Children.

The Honorable Company's Ship GENERAL HEWITT, sailed from Table Bay the 13th of October, Captain Pearson left at the Cape, sick. The DAVID SCOTT left the False Bay on the 1st or 2d of October. The PRINCESS CHALOTTE OF WALES, for Calcutta, was to sail from Table Bay on the 20th of October. His Majesty's Ship LEANDER had arrived in False Bay. At Sea, on the 8th of November, in lat. 36° S. and long. 79° E.—spoke the PRINCESS CHARLOTTE from Liverpool the 25th of July, for Calcutta.

Passengers per WELLINGTON, *from Batavia to Calcutta.*—Mrs. Fraser, D. A. Fraser, Esq. W. Thompson, Esq. S. Wilson, Esq. T. Anderson, Esq. Mr. C. R. Reid, from Sincapore, Mr. Thompson, of the Country Service, from Malacca, Mr. Younge, ditto, from Penang.

Passengers per LADY FLORA, *from Mauritius to Calcutta.*—Madme. L'Core, Lafond, and Salvat, and Infant Child; Madsle. L'Core, died at Sea on the 14th of November, Monsr. Salvat, Capt. Vansandau, N. I.

Essays.

To the Editor of the Journal.

SIR,

When will the amiable CATO favour us with the first of his promised Essays? They will refresh like cooling streams after a burning Desert.

December 14, 1822. —— LÆLIUS.

NOTE.

We received the First on Saturday, but cannot possibly promise a fixed and regular appearance to any particular subject, while our space is in such demand. It shall appear however, soon.—ED.

Reply to Fabius.

To the Editor of the Journal.

SIR,

FABIUS, in the BULL of this day, says,—"The JOURNALIST has been charged with having represented himself in 1818, as the friend of the late Mr. Burckhardt, and as honoured and respected by him, to the day of his death, while at the same time the JOURNALIST knew, that Mr. Burckhardt had ceased to respect him. Will CINCINNATUS declare in the next JOURNAL that on his honor, the JOURNALIST is NOT GUILTY of this charge?"

To this I answer on my honour I have seen NO PROOF that the JOURNALIST IS GUILTY of the charge, and that until I do so I shall continue to believe him INNOCENT.

Dec. 14, 1822. CINCINNATUS.

Notice.

The length of the Debate, which could not be broken into portions, obliges us to omit a number of our Correspondents' Letters for a day; but we shall do our best to give them speedy insertion: and that FABIUS *and others of the* BULL *may not think themselves wholly neglected, or dread sinking into utter forgetfulness and contempt, we will do our best to give them the Letters relating to their productions with as little delay as possible.*

Editors.

"O! what a falling off was there!!!"

To the Editor of the Journal.

SIR,

We all know with what feelings the letters of certain persons in the BULL have been read—my business, however, is not with them, but with their accomplice—the good Editor of the BULL,—to whom I take leave to say, that he, the very *Hope and Champion* of the *Verum atque Decens*, must not weakly solace himself with the vain expectation that he can escape the shame and disgrace of the offence, which he and his Correspondents have committed against every thing *decent* and *decorous*, an offence which the good Editor can never expiate—Let him, however, to shew that he is not an incorrigible evil-doer, repent him of the past, and beware how he sins against *decency* for the future. This is a very gentle hint; but, if inwardly digested, it may do the Editor good; and, to assist its salutary operation, I assure him, in all sincerity, it comes from no enemy to him, though from one who is no admirer of the cause in which he has been so foolish as to embark—one, indeed, who sees with regret exemplified in the instance of the good Editor, the truth of that too true adage "*Nemo mortalium omnibus horis sapit.*"

Some are so malicious as to say that the worthy Editor is after all nothing but a "*suckling Editor*," or at least, an *Editor in leading strings*—Very far be it from me to say that this is true; but, if it be so, I can tell him that for his own credit, "he had better be a dog and bay the moon than SUCH an Editor."

I am told, indeed, that the Editor discourses loftily of FREE AGENCY! Be it so—still, I say, shame, foul shame on the free Agent who could act as he has done.

December 14, 1822. —— TOBIAS SHANDY.

Shipping Arrivals.

CALCUTTA.

Date	*Names of Vessels*	*Flags*	*Commanders*	*From Whence*	*Left*
Dec. 14	Lady Flora	British	G. Vine	Mauritius	Sept. 21
14	Coldstream	British	Stephens	London	July 16
15	Wellington	British	G. Maxwell	Batavia	Oct. 27

Shipping Departures.

CALCUTTA.

Date	*Names of Vessels*	*Flags*	*Commanders*	*Destination*
Dec. 14	Ceres	British	H B. Pridham	Madras
14	George	Amern.	S. Endicott	Salem

Birth.

On the 14th instant, the Lady of the Honorable CHARLES R. LINDSAY, of a Daughter.

Deaths.

On the 15th instant, DAVID TURNBULL, Esq. of Mirzapore, aged 54 years.

At Sea, on board the LADY FLORA, Captain G. Vine, from the Isle of France, on the 14th of November, of a consumptive complaint, contracted during an unremitting attention to her Sister, who died of the same disease some time back at the Mauritius, Miss IRMA LECORA, an amiable and beautiful young Lady, aged 20 years. The afflicted Mother, who has lost by this most cruel disorder in the short space of a year, two Daughters just blooming into life, had embarked with her, in the vain hope that the voyage to Calcutta might arrest the fatal progress of the disease.

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